

EVANDALE COMMUNITY CENTRE AND MEMORIAL HALL MANAGEMENT COMMITTEE

Gov 4(2)(i)

Minutes of General Meeting Tuesday 5th April 2016

Chairperson: John Lewis

Meeting opened: 10.30am

1. Present: Ruth Tilsley, Jennie Staal, Adrian Jobson, Bronwyn Rigby, Jenny Carter, Trevor Thomas, Frank Halliwell, Gillian Atherton (Minutes).

2. Apologies: Chris Hurford, Ian Goninan, Peter Riley.

3. Minutes of Previous Meeting: read and confirmed: Bronwyn Rigby/John Lewis. Carried.

3.1 Business Arising:

- Grill for gift shop: applied for Capital Grants Program.
- Volunteer Award: expired.
- Community Centre Cleaning (Management Report)
- Insurance for Volunteers (" ")

Last two items left until later.

4. Correspondence:

4.1 Inwards:

- M. Bricknell: confirmation received that all volunteers are covered by Public Liability & Personal Accident Insurance.
- J. Lambert: to arrange meeting to discuss improving contacts with Clarendon.
- A. Mason: meeting to discuss cleaning costs. To advise present cleaner services no longer required.
- K. Tattersall: re Evandale Tourist Strategy
- Visitor Centers' Meeting: Agenda
- A. Mason: re -MOU and Insurance Waiver
- Various day-to-day queries/information etc.

4.2 Outwards:

- J. Lambert: reply, meeting with NMC.
- M. Bricknell: cleaning Centre.
- M. Smithies: meeting at Clarendon.
- Evandale businesses re Tourist promotion.
(More details to be found in the Centre Management report)

Discussion on correspondence:

Cleaning is still proving to be a problem and often being done by volunteers.

- Cleaner is paid by NMC for 2 hours weekly, and Centre should receive two, one-hour sessions per week.
- Could money be better used as a block for contract cleaning, and to pay for extra help, windows etc?
- Options include hire of another contract cleaner as required, incurring costs, volunteers asked to clean while on duty, contract cleaner to be hired monthly to thoroughly clean.

It was moved that the correspondence be accepted: Ruth Tilsley/Jennie Staal. Carried.

5. Financial report:

Our thoughts and best wishes go to Chris Hurford who is commencing treatment today, and a warm welcome extended to Trevor Thomas as Treasurer.

Income	March 2016	% Change	March 2015
General	\$2209.70	+11.8%	\$1976.75
Memorial Hall	\$342.00		\$851.00

Bank Balance	Mar 2016	Last Month
Commonwealth Bank-Cheque Account	\$2754.14	\$2756.82
Bankwest- Business Telenet Saver	\$4060.31	\$4054.85

General Income for March was \$2209.70 which is 11.8% up on March 2015.

Electricity accounts for the first quarter have been received and paid.

- Memorial Hall \$460.61, down on last years usage.
- Community Centre \$492.10, slightly up on last years usage possibly because of the hot summer and consequent use of the air conditioner.

It was formally moved that Trevor Thomas be appointed Treasurer: Ruth Tilsley/Frank Halliwell. Carried. A letter will be sent to M. Bricknell advising of the appointment.

Trevor Thomas moved his report be accepted, seconded Jenny Carter. Carried.

6. History report:

Society is busy finalising arrangements for ANZAC Day. Services at 6.00am and 11.00am.

The guest speaker will be Her Excellency Professor the Honourable Kate Warner, AM, Governor of Tasmania, and Mr Jack Soward, one of the young Australian representatives who visited Gallipoli for the Anzac Service in 2015. Young people and school students will be involved.

Heritage Week will be held in May. It is planned to have an open day for the History Society on Wednesday 11th May, 2.00 -4.00pm and 7.00-9.00pm. It was noted that the Heritage Highway page needs a link to the Centre.

7. Gift Shop/Library Report: Ruth Tilsley

- Tourists are buying well especially from new merchandise.
- New mugs are to be ordered with new illustrations to reflect convict roots. Adrian suggested a humorous picture, regarding an early revolt at one of the female factories that may be appropriate for place mats or mugs! Any other suitable designs will be considered.
- The library is proving very popular this year. During the quieter, winter months it is hoped to start working on a catalogue.

8. Centre Management: Jennie Staal

- Visitor numbers for March were slightly less than last year (1472/1057).
- MOU with the Council has been amended to include Walking Tour Guides, Bus Tour Guides, and other fundraising events to be held at the Centre and approved by Council.
- A 'Waiver and Assumption of Risk' form for customers is being modified by Council.
- Art Exhibition: preparations are in hand for opening on Friday, 8th April. To hold a raffle, tickets available with entry donation.
- Cleaning arrangements: to be followed up by Jennie Staal as already discussed.
- Evandale Guided Walks: on-going arrangements to secure Tour Guides, discuss arrangements with Clarendon etc.
- Web-Site: exploring the possibility of setting up own web site.

- Information Centers' Joint Meeting: very successful and productive. To hold another in six months time.
- Clarendon: Council to draw up a MOU to clarify roles for Clarendon Volunteers.

9. Community Hall report: Bronwyn Rigby

- Future bookings are good, especially Tas Irrigation who have booked for 4-5 weeks.
- Bronwyn has on-going cleaning issues, especially after large functions. Large community events should be contract cleaned, or the hall should be given a major clean by contract every three months. To explore costs.
- Bronwyn and her children will be registered with Council, which will cover them while cleaning after small events.

It was moved that all the reports be accepted: Adrian Jobson/Bronwyn Rigby. Carried.

10. Any Other Business:

- It was suggested that all user groups at the Centre be asked for an increase in the cost of room hire. To receive a letter outlining this, to cover mounting costs of power etc. commencing 1st June 2016. Users will be encouraged to use the room with the heat pump to conserve costs. A motion was proposed "That regular users of the Centre, with the exemption of the History Society, pay \$10 per meeting." Proposed Jenny Carter/ seconded Frank Halliwell. Carried.
- Blessing of the Bonnets:
 - *Committee divided into smaller groups to make arrangements.*
 - *All religious groups will be represented.*
 - *Older students from the Primary School will be taking part.*
 - *Evandale Singers may be available.*
 - *More sponsorship required, hoping Rotary may help.*
 - *An Event Grant has been applied for (\$3000.00), to be used for displays and posters.*
 - *Gardening Group doing wonderful work in preparing the grounds.*
 - *Formal invitations to be sent in June. Lunch \$25 per head.*
 - *Volunteers at the Centre must be informed about procedures for booking lunch, with attention to names of those invited and spouses.*
 - *Merchandising: tea towels, aprons, bags and plants.*
 - *To arrange for road signs, John and Bronwyn to contact State Growth.*
- Frank Halliwell was welcomed on his return to the committee.
- Bronwyn added that cleaning 'before' an event would be helpful to consider.
- It was agreed that meeting at 10.30am was more convenient as it gave Centre volunteers time to start.
- NMC Tour Wednesday 6th April.

The meeting closed at 12.00 noon.

Next meeting Tuesday 3rd May 2016 at 10.30am

EPPING FOREST HALL COMMITTEE

MEETING MINUTES 9th APRIL 2016

Time 3.00pm (OPENED BY WILMANS COUNCIL)

MEMBERS PRESENT - DOT WATSON
 MAXINE BARCLAY
 DARYL JOHNSON
 JANICE CROCKER
 ANDREW BARCLAY

WILMANS COUNCIL					
Item					
Attachments					
REC'D	18 APR 2016				
GM					
P&DM					
CSM					
ERDM					
WM	✓				
HR					

MEETING OPENED 3.00 PM.

SECRETARY REPORT EMAIL FROM COUNCIL
 WANTING BOOKS FOR AUDIT

TREASURERS REPORT DONATION OF \$1,000-
 FROM RICK PREVOST OF WHICH WE PUT TOWARDS
 A FRIDGE, COMMITTEE PAID \$770.00 DIFFERENCE
 IN COST A THANKYOU LETTER HAS BEEN SENT
 TO RICK. POWER BILL WAS \$133.45

OUR EASTER RAFFLE RAISED \$152.85

Spent \$231.13 FOR NEW TABLES + SCREWS

" \$100.00 FOR 5 TRAFFIC CONES

Bank Balance \$4,365.84 Passed by
 COMMITTEE

PRESIDENTS

~~RE~~ COUNCILLOR DICK ADAMS called but
 unable to stay. JANICE IS NOW IN
 CHARGE OF RAFFLES

HALL IS BOOKED FOR 6th AND 7th MAY
 FOR ELECTION

Put to COMMITTEE WE WRITE A LETTER
 TO COUNCIL ABOUT FIXING OUR FAULTY
 FRONT DOOR OF WHICH WE HAVE BEEN
 TRYING TO GET FIXED FOR 2 YEARS BEING
 UNSAFE AND NEEDING URGENT ATTENTION

PASSED BY DOT WATSON, DARYL JOHNSON
 JANICE CROCKER, MAXINE & ANDREW BARCLAY

MEETING CLOSED. 3.30 PM

Devon Hills Neighbourhood Watch Committee Meeting

GOV 4(2)(iii)

Meeting Opened: 7.35pm on the 12th April, 2016

Present: Phil and Cheryl Canning, Sheena Harris, Jamie Buckby, Lance Turner, Garry Stebbings, Margaret Webster, Christine White, Katrina Coleman, Sam Saunders-Battersby.

Apologies: Graeme Gliddon, Lisa Lucas, Jim Stewart, Janet Lambert.

Minutes of Previous Meeting: 9th February, 2016

Confirmed: Cheryl Canning Seconded: Lance Turner Accepted

Business Arising: Notification of the date for guest speaker (Ron Franks, Crime Stoppers) will be advertised in Newsletter.

Etching tool to be featured in the next newsletter.

Correspondence In:

Police Report

Commonwealth Bank Statement

Correspondence Out: nil

Treasurer's Report:

Bank balance as of the 8th February, 2016 \$18.02cr

General Business:

P Canning to attend a NHW Forum.

P Canning explained the background to the Devon Hills Community Emergency Plan.

Discussion concerning speed restriction on highway between Breadalbane and Perth.

General consensus the 80km is beneficial for Devon Hills residents entering the Highway.

Police Report:

19/01/16 – 05/04/16 No crimes reported in Devon Hills.

Next Meeting: 14th June, 2016

Meeting Closed: 7.54pm

Devon Hills Residents Group

Gov 4(2)(iv)

Meeting

12 April 2016

Attendees:

Jamie Buckby, Margaret Webster, Cheryl & Phil Canning, Lance Turner, Sam Saunders- Battersby, Sheena Harris, Garry Stebbings, Christine White, Katrina Coleman

Apologies- Graeme Gliddon, Lisa Lucas, Jim Stewart, Janet Lambert

Meeting opened 7.55pm

Confirmation of Previous minutes- Moved as correct – Phil Canning, Seconded – Margaret Webster

Declaration of any Pecuniary Interest by a member of a special committee of Council.

In accordance with the Local Government Act 1993, Part 5, S48A-S56, a member of a Special Committee must not participate in any discussion or vote on any matters in respect to which the member:

- 1- has an interest; or
- 2- is aware or ought to be aware that a close associate has an interest

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

It should be noted that any person declaring an interest is required to notify the General Manager, in writing, of the details of any interest declared within 7 days of the declaration.

NIL declared

Business Arising-

1- Security Cameras – Quote obtained for Security Lights and Cameras for the Fire Shed - \$3185.60 (incl GST)

Action - Lisa Lucas has applied for a Grant from the Council to cover the cost.

2- Risk assessment-

- Broken Glass has been removed by Phil and Cheryl Canning – Thank you
- Fire Extinguishers still not verified by TFS or Perth Fire Brigade – Phil Canning to continue to follow up direct with them.

Action – Sheena to include this on the Risk Assessment Checklist before submitting to Council.

4 - Tas Water and Telstra issues- these have been ongoing for a number of years with both the Devon Hills Committee and the Northern Midlands Council. Both parties have been trying to get these organisations to review Protruding Pits and inaccessible Water pits. The protruding Pits are a Health and Safety issue for the public and the Water issues may create poor access in the event of a Fire.

Action- Northern Midlands Council will continue to request works be done in the Devon Hills Community due to Health and Safety issues here.

5 - Garage Sale – Has received very positive feedback with excellent weather, good numbers of stall holders and good public attendance. Funds have been banked and a donation amount of \$150 was discussed by the Group. The 2 NFP groups discussed as possible recipients of the donation were Just Cats Tasmania and Ride for Pippa which was a Leukaemia fundraiser. The latter did not proceed due to issues with the Jet Skis being used for the ride. The Group agreed to donate the \$150 to the local Longford Group Just cats Tasmania to support the work they do in supporting Feral Cat Management and rehoming and surrendering of stray domestic cats.

Moved by Phil Canning Seconded by Garry Stebbings

It was agreed that a presentation will be made to the Founder of Just Cats Tasmania, Rachel Beech, at the next Residents group meeting in June. Rachel can then give a brief outline of the work they are currently doing in Cat Management

Action : Sheena Harris to invite Rachel Beech and introduce her on the night.

6 – Fire Management Plan – Interim – As per last meeting Phil Canning has done a wonderful job of formulating an interim plan pending the TFS and Council putting in place a more formal plan. The interim plan carries the support of the TFS and the NMC. The plan was put together by Phil with the fantastic support of Maree Bricknell from the Council. Phil wanted it noted that Maree’s contribution ensured the interim plan was able to be put in place as quickly as it was and letter box dropped recently to all residents.

- A copy of the Interim Fire Plan is to be placed on the Community Noticeboard at the Fire Shed.

- A copy of the Interim Plan (or formal plan when completed) is to accompany the Community Newsletter to all residents in October each year to ensure new and existing landowners stay abreast of the plan.

The committee extends their appreciation to Phil Canning and Maree Bricknell for their efforts. The Committee agreed to write a letter of appreciation to the General Manager at the NMC highlighting Maree's outstanding support.

Action – Sheena Harris to formulate and send letter to the General Manager at NMC

Treasurers report

Current Balance - \$ \$1650.04 this includes the proceeds from the Garage Sale.

It was agreed that an amount of \$1500 minimum needs to be held in the account in the event of insurance excess being required to be paid. This allows the \$150 donation to be made to Just cats Tasmania from the Garage sale proceeds.

General Business –

- Cancer Council Morning Tea- Katrina Coleman provided an outline of the dates the Cancer Council hold their annual Biggest Morning Tea. These dates are in May and June. While it was acknowledged it is a great cause Katrina and others on the Committee were not in a position to organise the event.

The Committee decided to let the event pass for this year and review for next year.

- Perth Structural Plan – a recent letter box drop about the Perth Structural Plan seeking input from local residents was discussed. Janet Lambert (in her absence) had requested the committee encourage local residents to 'have their say' on facilities etc they would like to see considered in the plan.

- Upcoming Devon Hills Residents Group meeting dates – this was tabled for discussion to allow more time for residents to plan their diaries and attend the meetings. Currently the meeting reminder is posted on the Face Book page and in the Newsletter which is delivered prior to the next meeting. Sometimes this is only a few days before the meeting and it was felt publishing all the dates to the end of the year to allow residents to better plan their attendance would be beneficial. This was agreed and will be posted on the Facebook page and in the next Newsletter.

- Sharing of the meeting minutes – currently the minutes are shared with most of the committee members via email and by having them posted on the Council website. It was discussed and agreed that this needed to be advised to local residents so they could navigate to the Council website to know what items are under discussion and actions taken.

It was agreed that the next Newsletter would include the link details to the part of the NMC website where the Meeting Minutes are located and that a Facebook post would also be published including the link.

- Past Records – Garry Stebbings tabled an array of documents dating back to the original meetings of the Devon Hills Residents Group (prior to it being a Council Group). These were much appreciated by the current committee and will be held in the Filing Cabinet at the Fire Shed for safe keeping. Many thanks Garry.

- With the recent approval by Council of facilities in the area it was discussed how the Committee could better stay abreast of Council Development approvals. It was considered appropriate that there be a standard agenda item included in each meeting for 'Council Update' to be presented by the General Manager of the NMC or his representative.

Action – Sheena to discuss with Amanda at Council.

Meeting Closed 8.50pm

MINUTES OF MEETING OF MORVEN PARK MANAGEMENT &
DEVELOPMENT ASSOCIATION INC.

HELD ON WEDNESDAY 13 APRIL, 2016
MORVEN PARK FACILITY, EVANDALE.

The Chairman Brendon Crosswell declared the meeting opened 19-35pm.

PRESENT: Carmel Oates (Secretary/Cricket Club), Ian Pease (Light Rail & Steam), Patrick Davey (Football Club), John Hughes (Tennis Club/Treasurer, Stephen Baldock (Penny Farthing), Charmaine Whyman (Cricket Club), Brendon Crosswell (Chair), Deputy Mayor Richard Goss (NMC),

APOLOGIES:

Robert Chick (Evandale Primary), Scott Hill (Evandale Primary), David Houghton (Rotary), Jeremy Cunningham (Football Club)

AMENDMENTS TO PREVIOUS MINUTES 9 MARCH 2016

John Hughes (Treasurer/Tennis Club) listed as present, which was incorrect. Not present at meeting.

MINUTES PREVIOUS MEETINGS (9 March 2016)

Moved Pat Davey/seconded. Ian Pease that minutes are accepted as true and correct. CARRIED.

BUSINESS ARISING PREVIOUS MINUTES.

- *Floor resurfacing. Morven Park rooms have been measured for matting.*
- *It now has been decided to lay the soft rubbery matting in bottom change room. Carpet Choice to be supplier.*
- *Top change room floor surface will stay the same but will be regreinded and done with a polished surface.*
- *MOU- Still pending.*
- **DOGS: Still concerned with the problem of dogs roaming Morven Park and dog faeces not being pick up by owners.**
- **Can the two entrances into Morven Park from Cambock Lane East have signs erected?**
- **Would it be possible for council to advise dog owners via registration renewal forms that it is an offence not to collect their dogs' faeces when out walking the streets and that dog patrol officer will be policing this closely as the problem has now become a major concern?**
- *NMC has erected another dog sign at the entrance to Morven Park.*
- *Secretary to contact Evandale Neighbourhood watch group to place notice in their newsletter to advise the residents of Evandale that dogs must be on leads in designated areas like Morven Park and that Council have been notified of this problem*
- *Chairman to contact council's dog patrol officer.*

- Top Dressing: to be added to councils 2016/2017 budget for consideration.
- Grandstand: David Denman has been approached by council to design plans for upgrade of grandstand and also to look at its Heritage value. No asbestos found in grandstand. To be discussed further next meeting.
- ANZAC DAY: Secretary to arrange wreath for 11am service.
- 2016/2017 application for special project assistance has been submitted. Requested help with replacing both outdoor cricket nets matting or at least one cricket net matting.

CORRESPONDENCE IN

NMC- Facility Safety & Risk Checklist.

CORRESPONDENCE OUT

NMC- Grant application.

Moved Carmel Oates 2nd John Hughes that correspondence IN/OUT is accepted.
CARRIED

TREASURER'S REPORT

\$476-98 @ 13/4/16

Moved John Hughes 2nd Charmaine Whyman that Treasurer's report is accepted.
CARRIED

REPORTS

SCHOOL:

- No report.

TENNIS CLUB:

- All OK.

LIGHT RAIL

- Problems with dog faeces.

ROTARY:

- No report

SKATE PARK

- No report

PENNY FARTHING:

- All OK.

NMC

- Looking at plans to provide extra lightning at Morven Park.
- Could football club forward to NMC any plans/costing ASAP?

GROUND REPORT

- Issues with Dog faeces at ground and village streets. Need more signs/dispensers. Richard Goss to follow up with council. (Pending)
- President to contact NMC Dog Patrol officer. (Pending)
- Dog Control has become a concern at ground.
- All user groups to enforce effective dog control (On leads) and collection of doggy doo's. Collection bags at entrance to ground.
- Contact NMC Dog control officer in relation to enforcement of rule.
- Cricket Club to advise players and visiting clubs that bowlers are to use markers not to scuff grass or make holes. Committee to police this next cricket season.
- Poor quality topsoil used to fill holes on playing surface.
- Nick Talbot sprayed oval for broadleaf weeds. Especially paspalum, which is becoming a problem.
- Is council responsible for spraying of weeds? Chairman to speak to Matt Systma in relation to this. What are OH&S concerns in relation to handling sprays etc?

EVANDALE CRICKET CLUB.

- All keys handed in.
- What date Penny Farthing next year, as people want to book sites already?

EVANDALE FOOTBALL CLUB:

- Handover between clubs completed.
- Will need to purchase more spray for weed control in 20litre or 4-litre drum.

GENERAL BUSINESS:

- **Weed control at Morven Park. Should NMC be spraying ground for weed control, also the area that the Light Rail lease from council.**
- **Do people need to be qualified to apply these sprays?**
- **What about OH&S concerns.**
- Chairman to follow up these concerns.
- Next meeting 11 May 2016 the AGM will be held at 7-30pm followed by general meeting. Secretary to arrange advertisement in Public notices of Examiner for Sat 23 April 2016.

- Evandale advisory committee person Stephen Baldock advised the meeting that council has been advised about damaged turnstile at Morven Park entrance and requested that it be repaired or replaced.
- Anzac Day: Governor of Tasmania will be in attendance at Evandale's 11am service. Must be at hall no later 10-30am if attending.

NEXT MEETING: 11 May 2016
Meeting Closed 21-10

Brendon Crosswell
Chairman

Carmel Oates
Secretary

Minutes of the meeting of the Ross Community Sports Club Inc.

held on Tuesday April 18th 2016 Clubrooms 7.30 p.m.

Gov 4(2)(vi)

PRESENT-: Karen Donlon, Owen & Sue Kay, Dennis Rule, Pete & Pat Kirk, Eddie & Rose Goss, Molly Jones and Sally Langridge

APOLOGIES-: Tania Woodard.

MINUTES -: 'Moved by Pat Kirk and seconded by Dennis Rule that the minutes be accepted.' CARRIED

FINANCIAL REPORTS -: 'Moved by Sue Kay and seconded by Eddie Goss that the Treasurer's Report be accepted and that accounts be passed for payment.' CARRIED

CORRESPONDENCE -:

- IN-: 1.NMC – List of needs to have a bonfire night.
2.E. Knowles – Thankyou
3. Corporate Affairs – Annual Report

'Moved by Pete Kirk and seconded by Pat Kirk that the correspondence be accepted.' CARRIED

GENERAL BUSINESS -:

Discussion on wether to hold Bonfire as Council say we have to have Public Liability insurance, Sally to get cost and if okay to go ahead.

It was brought up about the doggy doo bags and dispenser for the Recreation ground, sally to contact Amanda at Council to see where they are.

Committee discussed the swimming pool and what a successful season we had and that we are waiting on Council on the master plan for the pool re fence etc. so we can order shade for the paddling pool as our grant is only for the 2015/16 year it will be out of date before we can get it done.

'Committee resolved to get 7 x \$50 Vouchers from Sports Authority for the local Ross children who represented CTDHS in their field of sport.'

Owen to contact Council re new keys to kitchen and Bar as getting difficult to open the locks on the doors.

'Committee resolved to get rid of square wooden tables (originally from Scotch Thistle Inn) and left over carpet, so if anyone wanted them to organise to get as they would be gone by the end of the month.'

'Committee resolved that Owen get a trolley to cart chairs on as none of us are getting any younger.'

Sue Kay offered to write thankyou cards to all those who have helped and donated to the swimming pool.

Discussion on the Picnic in Ross and we finalise the catering etc. at our next meeting.

'Committee resolved we need to either get our alarm system looked at or acquire a new one.'

Meeting closed at 8.05p.m.

Next meeting will be at 7.00 p.m. at Clubrooms Monday 9th May 2016.

Minutes of the Ross Community Sports Club Inc. AGM
held on Tuesday April 18th 2016 Clubrooms 7.00 p.m.

1-15

Gov 4(2)(vii)

PRESENT-: Karen Donlon, Owen & Sue Kay, Dennis Rule, Pete & Pat Kirk, Eddie & Rose Goss, Molly Jones and Sally Langridge

APOLOGIES-: Tania Woodard.

MINUTES -: 'Moved by Dennis Rule and seconded by Sue Kay that the minutes be accepted.' CARRIED

FINANCIAL REPORTS -: 'Moved by Pete Kirk and seconded by Pat Kirk that the Treasurer's Report be accepted.' CARRIED

AUDITOR'S REPORT -: 'Moved by Karen Donlon and seconded by Molly Jones that the Auditors report be accepted.' CARRIED

Chairman's Report -: Chairman gave a verbal report mentioning all the changes we have made, fundraising events and thanking all those that have helped throughout the year. He made a special thank you to the executive Committee and Sue for handling the bookings etc for the Clubrooms.

Hire Charges -:

'Resolved that use of Ground and Clubrooms be \$250, Lounge and Kitchen \$50, Lounge only \$30 and all other requests to be set by the discretion of the Committee.'

Election of Committee Members -: All filled as per constitution requirements.

Chairman welcomed Ricky Hebbard to the Committee.

Election of Office Bearers -:

Pat Kirk took the chair and called for nominations for Chairman.

Chairman -: Pete Kirk nominated and Dennis Rule seconded Owen Kay and as there was no other nominations Owen accepted.

Deputy-Chairperson -: Dennis Rule nominated and Sue Kay seconded Pat Kirk and as there was no other nominations Pat accepted.

Secretary -: Molly Jones nominated and Ricky Hebbard seconded Sally Langridge who accepted as there was no other nominations.

Treasurer -: Pete Kirk nominated and Rose Goss seconded Karen Donlon who accepted as there was no other nominations.

'It was resolved that Northern Midlands Council remain Auditors for the Ross Community Sports Club inc.'

Meeting closed at 7.25p.m.

NOTES

Gov 4(2)(viii)

MEETING OF THE CAMPBELL TOWN DISTRICT FORUM HELD IN THE UPSTAIRS MEETING ROOM AT THE TOWN HALL, CAMPBELL TOWN ON TUESDAY, 3 MAY 2016 COMMENCING AT 9:30AM

AS THERE WAS NO QUORUM PRESENT AN INFORMAL DISCUSSION WAS HELD

1 PRESENT

Mrs Jill Davis (Chairperson), Mrs Laura Double OAM, Mr John Ashman, Ms Sally Hills, Mr Michael Roach

2 IN ATTENDANCE

Mrs Kerin Smith-Harvey, Mr Ross Latham (LINC Tasmania), Mr Gary ? (LINC Tasmania), Inspector Scott Flude (Tasmania Police), Cr Leisa Gordon, Miss Amanda Mason (Governance & Community Development Officer), Mayor David Downie (9:41am)

3 APOLOGIES

Mrs Jill Clarke, Mr Bevis Perkins ESM, Mr Owen Diefenbach, Mr Duncan Payton (Planning & Development Manager), Mr Des Jennings (General Manager), Mrs Judith Lyne, Mrs Debbie Thomas

4 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL.

In accordance with the provisions of the *Local Government Act 1993*, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:

- a) has an interest; or
- b) is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

Nil declared.

5 POLICE PRESENCE IN CAMPBELL TOWN

Miss Mason welcomed Inspector Scott Flude who was attending the meeting as a result of recent concern raised by the Campbell Town District Forum regarding police presence in Campbell Town.

Inspector Flude gave a brief overview of the police services offered in the Northern Midlands region. The head offices for this region are located in Longford and Deloraine. There are 9 police officers covering the Northern Midlands. Three officers stationed at Campbell Town. Longford is the headquarters, officers report there and travel to where the jobs are.

At present, crime is low in the Campbell Town area. There were 7 crimes reported last year, 3 so far this year. Tasmania Police try and keep Police on the roads, road safety is a priority. Average response time to jobs for the Northern Midlands is approximately 25-30 minutes in comparison to 15-17 minutes in Launceston.

Inspector Flude stressed that the Police can only act on what is reported to them. If crime is higher than what is reported, then please report incidents to the Police, all information is recorded and any information is good.

Mayor Downie arrived at the meeting at 9:41am.

It was mentioned by the Forum concern on the increase of hooning in Campbell Town. Inspector Flude confirmed that incidents must be reported for Police to be able to take any action.

Enquiry was made regarding basing traffic patrols outside of city limits. Inspector Flude reported it would be unlikely that a traffic base be relocated to a central location such as Campbell Town. It was noted that there is probably a greater police presence in Campbell Town than residents are aware with a large number of unmarked police vehicles travelling through the region on a daily basis.

Concern was raised about not having a police officer living at Campbell Town.

Inspector Flude advised he would be happy to take calls at any time and meet with the Forum to discuss any concerns.

Mrs Davis thanked Inspector Flude for his attendance at the meeting.

Inspector Flude left the meeting at 9:54am.

6 LINC PRESENTATION

Councillor Gordon welcomed Mr Gary ? and Mr Ross Latham to present on plans for the Library at Campbell Town.

Mr Latham advised he is a member of the LINC Tasmania Executive and oversees Launceston and its catchment, which includes Campbell Town.

LINC is presently looking at the way they're established in regional Tasmania and how to best deliver services to regional areas.

Presently there are two LINC locations in Campbell Town, the library on High Street, and the online access centre at the Campbell Town District High School. It has been identified that two locations is not the best way to deliver services to Campbell Town. As such, LINC are looking at consolidating the two services by updating the library building and moving the online access centre to the library building. It is anticipated this would be in place from 1 July 2016.

LINC are also looking at changing the opening hours to better suit the clients using the services. It was noted a suggestion from the Forum that Friday hours operate from 2pm to 6pm, to allow those working an opportunity to attend the library.

A further suggestion was made regarding having a 24 hour return box. It was advised that at this stage this is not being considered by LINC, however, could be looked at as systems upgrade into the future.

Mrs Davis thanked the guests for attending the meeting and for the information they have provided.

7 CONFIRMATION OF MINUTES

Deferred until next meeting for lack of quorum

That the minutes of the meeting of the Campbell Town District Forum held on Tuesday, 5 April 2016 be confirmed as a true and correct record of proceedings.

8 BUSINESS ARISING FROM THE MINUTES

8.1 Campbell Town War Memorial Oval

Update to be provide on progress of project as available. Council awaiting outcome of funding application from the Federal Government – National Stronger Regions Funds.

8.2 Campbell Town Traffic Management Strategy and Entrance Statements

General Manager in process of reviewing quotes. Update to be provided as available.

8.3 Motions to Council

Meeting of 19 October 2015: Min Ref 287/15	Northern Midlands Council note and investigate the following recommendations of the Campbell Town District Forum	That the signs for the museum are re-hung so they are more visible for passing cars. <i>Request submitted to Works Department. Planning application to be submitted.</i>
		That council investigates Blackburn Park’s suitability for free overnight camping for self contained vehicles and opportunities for relocation. <i>Planning & Development Manager to attend June Forum meeting to discuss.</i>

9 GENERAL BUSINESS

9.1 Riparian Management

Forum to discuss email received from Mr Bill Chugg regarding riparian management within the town of Campbell Town.

Forum discussed Mr Chugg’s email and noted that Miss Mason has referred the request to the Works & Infrastructure department for action with the relevant state authority responsible for the river area, and Council where appropriate.

Concern was also raised regarding the poplar suckers near the Red Bridge.

Action

Miss Mason to follow up requests.

9.2 Midland Highway Safety Improvements Project

Forum to note an 11km section of highway between Epping Forest and Powranna has been identified by the Department of State Growth for the next package of safety works planned for the 2017/18 construction season.

9.3 Nominations – Campbell Town District Forum

Forum to note that the term of the committee expires in June 2016. Nominations are now open. July meeting will be the first meeting for new members.

9.4 Other business

- It was suggested that a shower be installed at the Valentine Park toilet – to be deferred until a meeting where a quorum is present for a motion.
- It was noted that the State Government has released funding for the installation of bus shelters. Miss Mason advised that this funding related to road infrastructure rather than physical bus shelters themselves and that the Works & Infrastructure Manager is aware of the funding.
- Cr Gordon reported that following meetings with TasWater, it has been agreed that TasWater will install a drinking water tank at Conara for residents who are permanently on a boil water alert.

10 CLOSURE

Chairperson closed the meeting at 10:53 am.

Next meeting to be held on **7 June 2016** at the Town Hall, upstairs meeting room.

**EVANDALE ADVISORY COMMITTEE
ORDINARY MEETING MINUTES
3 MAY 2016 AT 7.00PM**

Gov 4(2)(ix)

1 ATTENDANCE

Mr J Lewis (Chairperson), Mrs K Heathcote, Mr A Jobson, Mr P Page, Mr C Plaisted, Mr R von Bibra (from 7.30pm)

In Attendance:

Cr M Knowles Mrs G Eacher (Secretary)

2 APOLOGIES

Mrs H Houghton, Mrs C Brown, Mr D Jennings (General Manager)

3 CONFIRMATION OF MINUTES

A Jobson/K Heathcote

That the minutes of the meeting of the Evandale Advisory Committee held on Tuesday, 5 April 2016, be confirmed as a true and correct record of proceedings.

Carried

4 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL

In accordance with the provisions of the *Local Government Act 1993*, Part 5, S48A – S56, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:

- a) has an interest; or
- b) is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

** It should be noted that any person declaring an interest is required to notify the general manager, in writing, of the details of any interest declared within 7 days of the declaration.*

5 BUSINESS ARISING FROM THE MINUTES

i) Honeysuckle Banks

Following consultation with a number of stakeholders, a Master Plan was placed on exhibition during February; comment has been collated and a report is to be tabled at Council prior to its public release.

In terms of the consultation, the following comments were submitted on behalf of the Committee:

- that the furniture throughout the area be standardised; and
- that the story board signage be incorporated into the Master Plan, i.e. story board – to be erected at entrance (info available re text for story board). Story board to incorporate Aboriginal and European history (Tasmanian Aboriginal Centre to be consulted).

The following to be noted:

- erection of additional signage on gazebo providing community information (details of facilities – community centre, camping facilities, amenities, etc.) to be considered.
- grant funding to be sought when the project is finalised and costed.
- a walkway between High Street and the railway line is shown on plans.
- Mr Chellis suggested that the tree plantings be clustered and mulched to facilitate ease of mowing and general maintenance.

ii) Concerns with Hawthorn Hedge & Infrastructure – Falls Park, Evandale

On 1 March, the Committee suggested that Council consider alternative solutions to the removal of the hawthorn hedge and footpath/kerb & gutter upgrade, as follows:

- Do away with all parking at the frontage of Falls Park.
- Make the footpath wider by moving the kerb & channel into the roadway to achieve the required footpath width.
- Maintain the existing hawthorn hedge and trees.

- In the interim the signage located on the corner, in the vicinity of the Glover statue, be relocated closer to the statue to alleviate the bottleneck effect on the corner.

Subsequently, Mr Chellis advised that the suggested solutions would not be appropriate in the circumstances.

At the 5 April meeting, the committee agreed, in general, that in order to accommodate the new footpath the existing hawthorn hedge be removed (from the units to the Glover statue), a new *abelia* hedge be planted in alignment with the existing trees and a new fence be erected.

A report was tabled at the 18 April Council meeting (attached), at which time the following was the decision of Council:

Cr Gordon/Cr Goninon

That Council

- A) *programmes the removal and replacement of the hedge and footpath to ensure the ongoing risk to the pedestrians is addressed in a timely and cost effective manner as follows:*
- i) *removal of the hawthorn hedge and entwined mesh fence in January 2017 with plant operating from inside the Falls Park area (this will eliminate the need for costly, part road closure required when operating plant from the roadside);*
 - ii) *remove and replace the existing failed asphalt footpath with an exposed aggregate concrete footpath (to follow removal of the hedge). The new footpath to be constructed generally 500mm from the back of the existing kerb extending further out at the hydro poles. (Plant to operate from within Falls Park to eliminate the need for any required road closures);*
 - iii) *Council to rip the ground between and on the same alignment as the existing oak/ elm trees, add 200mm of good top soil, mound up above the tree roots and prepare for planting of the hedge. Employ James Boxhall a hawthorn hedge specialist to oversee the preparation of the site to be planted;*
 - iv) *install a 900mm to 1200mm lamb proof fence with steel droppers 3.5 metres from the back of the existing kerb; the fence to provide for low level security until such time as the hawthorn hedge is of sufficient height and volume for the removal of the fence to be undertaken (approximately 2 years);*
 - v) *engage James Boxhall to plant the new hawthorn hedge in February or March;*
 - vi) *relocate existing irrigation pipes to provide water to the new hawthorn hedge plants.*
- and
- B) *refurbishes the steel entrance gates and replaces the brick entrance as per David Denman's plan.*

The Committee noted that a further report was being prepared which was to be tabled at the 16 May meeting of Council.

iii) Neighbourhood Watch – installation of yellow lines

Noted that Neighbourhood Watch had provided information re dangerous parking practices.

Mr Chellis advised that *No Parking* signs were already in place and that yellow lines are not installed in addition to signage, with yellow lines only being installed at driveways and short sections of a street.

The committee noted that:

- the existing signage review had been completed and existing signage was considered adequate.
- the parking issue was a police matter.

6 CUSTOMER REQUESTS/ACTION ITEMS

i) Task List

Date	Item	Description	Comment/ Action Taken
1/3/16	Ceanothus trees on High Street near water tower	Consider the need for pruning, replanting of the Ceanothus trees and/or additional planting of understorey at entrance to Evandale (vicinity of the water tower) as the area is drab when the trees are not in flower.	To be pruned in the interim. Consideration to be given to replacement of the trees in the future.
5/4/16	Yellow lines outside Post Office	That yellow lines be painted on the roadway outside of the Post Office.	Complete.
5/4/16	Honeysuckle Banks	No Swimming signs need to be re-erected at Honeysuckle Banks	Replaced and reinstated 3 signs 19.4.16
5/4/16	Mural @ Memorial Hall	Mural is not lit up at night as electricity connection is from the hall and not from street lighting as was agreed.	Timer reset. Request that electricity costs be reimbursed, correspondence to be provided.

Date	Item	Description	Comment/ Action Taken
5/4/16	Swivel gate (turnstile?) @ Morven Park	The swivel gate/turnstile has been damaged by a truck and needs to be repaired (or removed).	Turnstile removed and area made safe.
5/4/16	Small Park on Rodgers Lane/ Macquarie St/ Russell St	Ground works to level surface needs to be undertaken on POS as ground uneven. POS located opposite Harry Murray statue at intersection of Rodgers Lane/ Macquarie St/ Russell St.	Request that the ground level be built up to kerb height and levelled.
5/4/16	Signage still in place on Logan Road following roadworks	Council signage remains in place on Logan Road following completion of works	Works on Logan Road were still in progress at the time of the report.
3/5/16	Yellow lines – Falls Park vicinity	Requested that the yellow lines in the vicinity of Falls Park be repainted/reinstated as in some cases road surfacing has obscured lines and others are faded	
3/5/16	Cambock Lane trees	Marking for planting of trees has been undertaken on Cambock Lane, however, marking in front of no. 32 has been washed away by recent rains.	
3/5/16	Russell Street – 50kph sign	50kph sign/s on Russell Street need replacing as they are faded.	

7 PENDING ITEMS

i) Evandale Main Road

The following queries raised in relation to Evandale Main Road are on hold pending the upgrade of Evandale Main Road.

Date	Description	Comment/ Action Taken
1/04/14 & 5/08/14	Council requested to liaise with DIER re reconstruction of Evandale Main Road.	On hold - Noted that DSG to further consider speed limits on completion of airport upgrade. Awaiting outcome of discussions with DSG and Pitt & Sherry.
1/07/14	Breadalbane roundabout: Additional road markings on accesses to Breadalbane roundabout from Old Hobart Road and Launceston (Midland Highway)	On hold - Committee requested further consideration be given to installation of line markings to provide a left turn lane on Old Hobart Road AND that arrows be included to define the two lanes at the entrance to the roundabout from the Launceston aspect of the Midland Highway.

8 COMMUNITY GROUP REPORTS

i) Rotary Club

No report provided.

ii) Community Centre/ Memorial Hall

Report attached.

iii) Neighbourhood Watch

- Neighbourhood Watch AGM held.
- Air Services attended Neighbourhood Watch meeting. Noted that: *'Discussion took place around the increase in Evandale flyovers. Air Services describe the left turn that is done by sight. The outcome is that the noise abatement instructions will be modified to included a map of the township and to instruct pilots to make the left with visual confirmation of being clear of Evandale township'*.
- 14/5 NBN meeting to be held

K Heathcote/C Plaisted

That the reports from community group representatives be received.

Carried

9 NEW BUSINESS

i) 2016/17 Budget Item Action List

Noted that the 2016/17 Budget Item Action List had been provided to Managers and Councillors on 6 April during the annual bus tour.

ii) AGM

Noted that the AGM would be held on 5 July.

iii) Attendance at Meetings

Requested that apologies for meetings be tendered, if possible, 24 hours before meetings in order that it can be established whether there will be a quorum for the meeting.

iv) Other Matters Raised

The following matters were raised:

- Mr von Bibra sought leave of absence for the June meeting.

10 CLOSURE & NEXT MEETING

Chairperson closed meeting at 7.35pm.

The next meeting to be held Tuesday, **7 June 2016**, commencing at **7.00pm**.

CENTRE MANAGEMENT REPORT May 3rd 2016

For the month of April 2016

Roster

April Roster circulated.

Visitor Numbers

<i>March</i>	This Year	1067	Tourists	Last Year	707	Tourists
	This Year	1755	Total	Last Year	915	Total

Insurance of Volunteers

MOU has been amended to include Walking Tour Guides and Bus Tour Guides. It also covers other fundraising events approved by Council to be held at the Centre. It has been signed by all parties and the Centre now has a copy

10th Art Exhibition

Report attached

Centre Cleaning

A contract cleaner was hired for cleaning of the Community Hall – Alana Durie. She will be available if and when required to clean both premises.

Cleaning of centre in between major cleans to be discussed – upright vacuum cleaner required for ease of volunteers

Room Hire

Letter has been sent to local groups re \$10 room hire. Booking Large Meeting Room for Dept of Primary Industries, Parks, Water & Environment for 3/5 for 1 hour \$15.00.

Evandale Tourism Promotion Strategy

Small response to letter sent to local businesses. Will meet personally over next month to discuss further involvement

Evandale Guided Walks/ Bus Tours –

Held meeting with Adam McCarthy, Heritage Bus Tours. Discussed guided tours of village for weekly designated time, together with Blessing of the Bonnets weekend.

Waiver received from Council – discuss changes and return for adoption

Website

Have commenced working on new website with K. Heathcote. Work to continue to build site. Self-management of site and updates and additions when required

Clarendon House/Woolmers/Franklin House

Attended Raising of Roof at Clarendon last Wednesday. Met Chris Duggan, General Manager, Woolmers who visited Centre afterwards. Small group of Volunteers visited Woolmers on Friday 29th. Clarendon visit to be held on Friday 6th and Franklin House on Thursday 12th.

Will be holding a meeting with C. Duggan, M. Smithies and Lorraine Green to discuss strategy to draw visitors to our Heritage Hub.

In the process of acquiring new photos from these houses to replace faded ones in centre.

Upcoming Events

May 11th (2.4pm and 7-9pm) – National Trust Tas Heritage Festival – Brochures in Centre

June 4th – Saturday – Triple S Night - Soup, Stew and Sweets – Invitations sent out

18th September – Sunday – Blessing of the Bonnets - ongoing

23rd September – 7th October - Photography Exhibition – The Examiner covering story this week

History Enquiries

Discuss charging a \$5 Fee for viewing files plus photocopying. This would inject funds to the History Society

New Residents Information Booklet

Currently updating new Information Booklet for Residents

Jennie Staal

Secretary

2016 ART EXHIBITION SUMMARY

Working closely with Anne Engdahl on this Art Exhibition has been interesting. The preparation before, during and after the Exhibition is considerable and by working with Anne I would like to commend her on the way the exhibition was presented. The sequence of coordinating this event involves –

- Writing to and enlisting artists for the exhibition
- Collecting and hanging paintings (including necessary paperwork)
- Marketing / Media promotion / Official Opening guest
- Dismantling the exhibition

Appreciation must also go to the volunteers who assisted.

Increased Visitor Numbers 1100 for period of Art Exhibition. Gift Shop sales significantly increased for this 2 week period

SALES (7 Paintings \$2589)	15% Commission	\$389
DONATIONS/LUCKY DOOR		\$145 \$534
<u>LESS</u>		
Wine	\$121	
(14 bottles for 50-60 people)		
Food	\$172	
Miscellaneous	\$17	<u>\$310</u>
Operating Profit		<u>\$224</u>

NB: a white board was purchased and as it is a fixture and fitting and can be used for other events this cost has not been taken into account \$147

RECOMMENDATIONS :

- Anne has suggested a \$5 entry fee which is very reasonable and would increase profit margin.
- A lockable room should be made available for artwork to be stored prior to exhibition opening
- If wine was donated and food moderated the operating profit would be quite significant. Whilst the Art Exhibition has always been designated a *community event* and profit was not the central focus, we should consider any further events be viable for the centre.
- Adrian Jobson has suggested an auction be held at the end of any future exhibitions which may increase sales. Artists could be asked to place a reserve price on their exhibits

MINUTES

Gov 4(z)(x)

MEETING OF THE ROSS LOCAL DISTRICT COMMITTEE HELD AT THE READING ROOM, ROSS ON WEDNESDAY, 4 MAY 2016 COMMENCING AT 3:06 PM**1 PRESENT**

Mrs Christine Robinson (Chairperson), Mr Arthur Thorpe, Mr Keith Draper, Mr Allan Cameron, Mrs Debra Cadogan-Cowper, Mr Herbert Johnson

2 IN ATTENDANCE

Mrs Candy Hurren (resident), Cr Mary Knowles, Cr Leisa Gordon, Miss Amanda Mason (Governance & Community Development Officer), Mr Tony Thorogood (resident)

3 APOLOGIES

Mrs Fiona Doe, Mrs Jill Bennett, Ms Helen McQuade, Ms Noelene Brown, Mr Des Jennings, Cr Andrew Calvert

4 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL

In accordance with the provisions of the *Local Government Act 1993*, Part 5, S48A – S56, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:

- a) has an interest; or
- b) is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

**It should be noted that any person declaring an interest is required to notify the General Manager, in writing, of the details of any interest declared within 7 days of the declaration.*

Nil declared

5 CONFIRMATION OF MINUTES

Mr Allan Cameron/Mr Keith Draper

That the minutes of the meeting of the Ross Local District Committee held on Wednesday, 5 April 2016 be confirmed as a true and correct record of proceedings.

Carried unanimously

6 BUSINESS ARISING FROM THE MINUTES

6.1 Memorial Plinth – Sergeant Lewis McGee VC

Funding program opens in mid 2016. Miss Mason to monitor and when open discuss further with the Ross RSL for eligible projects, noting the township of Avoca also have an interest in holding an event to acknowledge Sergeant Lewis McGee VC.

6.2 Rabbits

The Department of Primary Industries Water and the Environment have released the RHDV virus (calicivirus) at the following sites in Ross: Esplanade, High Street, Bridge Street and Ross Recreation Ground.

Enquiry was made as to whether or not Ross was on the list for release of the new strain of RHDV in August.

Action

Miss Mason to make enquiries and report back.

6.3 Ross Cannon

Miss Mason meeting monthly with the RSL re the cannon. Still awaiting quote from conservator. Advice received on 4 May 2016 was that the preference of the RSL is to not build a shelter but rather restore and conduct ongoing maintenance. RSL also looking into quotes for conservation.

6.4 Ross Entrance Statements

Agreement reached with the Department of State Growth re locations. Council progressing planning approval.

6.5 Street lights

Miss Mason reported the list of non-amber street lights to TasNetworks. TasNetworks have agreed to replace the non-amber lights on Church Street. However, some lights on the list were off the main street, and these cannot be replaced to amber due to the type of light fitting installed.

It was noted one heritage style light has been missed.

Action

Mrs Robinson to obtain number and report.

6.6 Rubbish

Committee raised concern at the previous meeting regarding increasing amounts of rubbish on the sides of the road. Committee to note the following link: <http://www.cleanupaustraliaday.org.au/> and discuss further if they wish to progress.

Concern was expressed for the large amount of rubbish domestic and commercial rubbish being left in street bins in Ross.

Action

Mrs Robinson to request insurance requirements and coverage for participation in Clean Up Australia.

Miss Mason to prepare a formal thank you to Mr Ray Webb for his excellent work in rubbish collection.

7 MATTERS IN PROGRESS

7.1 Motions to Council

Motion (17/02/2015): *The Ross Local District Committee request the Northern Midlands Council to have all cats registered is being investigated by Council officers.*

Update:

The State Government have released a draft Cat Management Plan. This is open for public submission until 30 June 2016. Council officers are reviewing the plan.

Motion (05/05/2015): *That the Ross Cannon be included on the heritage listing in the Northern Midlands Council Planning Scheme was noted by Council at its meeting of 18 May 2015 for investigation by Council and has been referred to the Planning Department to be included in next amendment to the Northern Midlands Planning Scheme.*

Update:

Anticipated report to May Council meeting with suggested amendments to the Heritage Code.

Motion (02/12/2015): *That Council pay for an acoustics engineer to assess the Ross Town Hall.*

Update:

Report received with quote for installation of sound proofing panels. Further discussion to be held with the Film Society.

Motion (05/04/2016): *That the Ross Public Toilet be retained outside the Town Hall due to the flow of buses was noted by Council at its meeting of 18 April 2016.*

8 NEW BUSINESS**8.1 Classwood**

Mrs Robinson was asked to express on behalf of Mrs Bennett her disappointment in the colour of the paving outside Classwood, and the fact it was not similar to that on the eastern side of the Town Hall as was planned.

Enquiry was also made as to what would be planted in the planter boxes. Mrs Hurren indicated she would like to plant some herbs around whatever plants Council install.

Action

Miss Mason to note with the Works Department.

8.2 Progress Association

Mrs Robinson requested a formal thank you be sent to the Progress Association for their contribution to the community.

Action

Miss Mason to prepare letter.

8.3 Thank you

Mrs Robinson formally thanked Mrs Hurren for re-starting Bingo in the Town Hall on Monday evenings.

8.4 Trucks passing over the bridge

Concern was raised re trucks passing over the Ross Bridge complying with the load limit. Complaints can be reported to Council or directly to the Department of State Growth.

8.5 Rural Alive and Well

It was reported that there have been meetings with Wendy French, coordinator from Rural Alive and Well. Meetings have been well attended and the process has commenced for forming a group: Ross-Alive and Well. Plans to have a joint stand at the Campbell Town Show and during the Picnic at Ross. The purpose of the group is to gain understanding on how to identify mental health issues and when a need is identified the group can contact the appropriate agency for support.

8.6 Church Wall

It was reported by Mr Draper that the damaged wall at the Anglican Church is scheduled for repair soon.

8.7 Ross Community Group

It was noted by the Committee that Mr Kim Peart has circulated a flyer to the residents of Ross inviting interest to form a community association in Ross.

8.8 Airport rates

Mr Thorpe reported he has received several questions regarding whether or not the failure for the airport to pay its rates will result in a rate increase for rate payers this financial year.

Action

Miss Mason to obtain information and advise.

8.9 33 Church Street, Ross

It was noted by the Committee that Council has purchased 33 Church Street, Ross. Once planning for the site gets underway, input from residents will be sought.

8.10 Compliance issues

Enquiry was made for an update on whether or not the various compliance issues raised through the group are being progressed.

Action

Miss Mason to obtain information and advise.

8.11 New shop in Ross

Cr Gordon reported that a new shop will be opening on Church Street this month which is positive to see new business in the town.

8.12 Picnic at Ross advertisement

Cr Knowles reported that through the Heritage Highway Tourism Association the Picnic at Ross is being advertised on the red double decker buses in Hobart.

8.13 Sculptures for Ross

Mr Thorogood suggested that Ross should be considered for the installation of some Eddie Freeman sculptures. For example the stonemason for the Ross Bridge, or his wife, or the unofficial "mayor" of Ross, Jack (the dog) who recently passed away.

Action

To be considered further with development of the Ross Town Square.

8.14 Work at the Female Factory

Mrs Cadogan-Cowper reported that work will commence shortly at the Ross Female Factory to clear broken and dead trees.

8.15 Nominations – Ross Local District Committee

Committee to note that the term of the committee expires in June 2016. Nominations are now open.

8.16 State Growth

Miss Mason reported that there will be blasting works on the Midland Highway between 4 May 2016 and 8 June 2016 on Wednesdays, between 1pm and 2pm, near the Mona Vale Road, 4km south of Ross. Delays of up to 15 minutes to be expected.

9 NEXT MEETING/CLOSURE

Next meeting to be held **1 June 2016 at 3:00pm.**

The Chair closed the meeting at 4:02 pm.

COMMENCEMENT OF LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) ACT 2015

INFORMATION SHEET
April 16

Proclamation of *Local Government Amendment (Code of Conduct) Act 2015*

The *Local Government Amendment (Code of Conduct) Act 2015* (the Amendment Act), which incorporates a number of amendments to the *Local Government Act 1993* (the Act), commenced on 13 April 2016. The Act has been amended to provide a new local government code of conduct framework for Tasmanian councillors and a number of other miscellaneous changes, as outlined below.

New local government code of conduct framework

The local government code of conduct framework is prescribed under Part 3, Division 3A (Code of conduct, complaints and complaint resolution) of the Act.

The key aspects of the new code of conduct framework include:

- the Model Code of Conduct (made by order of the Minister for Planning and Local Government) which prescribes the standard of behaviour that all Tasmanian councillors are required to meet when performing their role;
- the Minister's independent Local Government Code of Conduct Panel (the Panel) which is responsible for the investigation and determination of code of conduct complaints;
- that code of conduct complaints are lodged with the general manager of the relevant council, and can be made within six months of the councillor allegedly contravening the code of conduct;
- new powers for the Panel to suspend councillors for serious breaches of the code of conduct;
- new ability for the Panel to dismiss frivolous and vexatious complaints;
- new power for the Minister to remove a councillor from office if he/she has received a suspension sanction for three code of conduct breaches during one term of office or two consecutive terms of office;
- new offence provision providing that if a councillor fails to comply with a sanction imposed by the Panel, that councillor may face a penalty of a fine not exceeding 50 penalty units, which currently equates to \$7 700; and
- an appeal right from a Panel determination to the Magistrates Court (Administrative Appeals Division) on the basis that the Panel failed to comply with the rules of natural justice.

Further information regarding the new code of conduct framework is available via the following information sheets:

- Information sheet: Local Government Code of Conduct – Model Code of Conduct;
- Information sheet: Local Government Code of Conduct – Information for General Managers; and
- Information sheet: Local Government Code of Conduct – Transitional Provisions;

New requirement – Annual report to contain code of conduct complaint information

Section 72 (Annual report) of the Act has been amended to require a council to report in its annual report the number of code of conduct complaints that were upheld by the Code of Conduct Panel during the preceding financial year and the total costs met by the council during the preceding financial year in respect to all code of conduct complaints.

Change to council notification requirements – Annual General Meetings

Section 72B (Annual General Meeting) of the Act has been amended to provide that a council is only required to publish one newspaper notice regarding its Annual General Meeting (AGM), instead of the previous requirement to publish two notices.

Change to council notification requirements – Impounded animals

Section 195 (Notice of impounding) of the Act has been amended to provide that a council is only required to publish one newspaper notice regarding an impounded animal for which the owner cannot be found, instead of the previous requirement to publish two notices.

The single newspaper notice is to contain the particulars specified in the prescribed 'notice of impounding' under section 195 of the Act. This includes a statement that fees/costs/charges may be payable in relation to the animal's impounding (and the amounts if known at the time) and the instances in which a council may sell/give away/destroy the impounded animal.

Section 196 (Fees, costs and charges) of the Act has been amended to remove the requirement for a council to notify the owner of an impounded animal, in writing, of the fees/costs/charges payable in respect of an impounded animal, as this information is now included in the single newspaper notice under section 195 of the Act.

Section 197 (Sale or destruction of unclaimed animals) has been amended to remove the requirement for a council to publish a second newspaper notice notifying the owner of an impounded animal of when the council may sell/give away/destroy an impounded animal, as this information is contained in the single newspaper notice under section 195 of the Act.

New power for Director of Local Government to dismiss complaints under the Act

Without limiting the ability of the Director of Local Government to determine the procedure for handling and investigating complaints of non-compliance or offences made under the Act, the Director now has the overt power (under section 339E of the Act) to dismiss a complaint received under the Act on the basis that the complaint is frivolous or vexatious.

Disclosure of information – Refined process regarding a general manager providing a councillor with information relevant to an agenda item

Section 28D (Documents relating to agendas) has been amended to provide a specific dispute resolution process regarding the relevance of documents relating to an agenda item of a council meeting. The new process provides that, in respect to a document relating to an agenda item of a council meeting, a general manager may withhold from a relevant document private and confidential information relating to a person, if that private and confidential information is not relevant to the agenda item. If a general manager refuses to provide a document (either in whole or part) on the basis that he or she considers that it is not relevant to an agenda item, the councillor requesting the document may seek a decision of the council regarding the document and the general manager is to comply with the council decision.

Section 28D has also been amended to include 'information' relating to council agendas, in addition to 'documents'. The effect of this amendment is that section 28D will now deal with documents and information in possession of the council that directly relate to an item on the agenda of a council meeting. This amendment does not affect the intent or functioning of section 28D, it simply provides clarity and ensures consistency with other sections of the Act which relate to council information and documents relating to functions of councillors.

Section 338A (Disclosure of information) of the Act has also been amended to exclude the application of the offence provisions relating to disclosure of information from any other disclosure of information requirement under the Act or any other law.

Change to eligibility criteria for nominating as a councillor in Tasmania

Section 270 (Eligibility for nomination as councillor) of the Act has been amended to restrict the eligibility criteria for nominating as a councillor to persons who have their principal place of residence in Tasmania. Section 315 (False or misleading statements) of the Act has also been amended to provide that it is an offence to make a false or misleading statement in relation to making a notice of nomination as a candidate for the office of councillor.

Disclaimer: Information on legislation contained in this document is intended for information and general guidance only. Such information is not professional legal opinion.

LOCAL GOVERNMENT CODE OF CONDUCT – MODEL CODE OF CONDUCT

INFORMATION SHEET
April 16

Local government code of conduct framework

The local government code of conduct framework is prescribed under Part 3, Division 3A (Code of conduct, complaints and complaint resolution) of the *Local Government Act 1993* (the Act). The purpose of this information sheet is to provide guidance on the legislative requirements of councils in relation to the Model Code of Conduct for Tasmanian councillors.

The Model Code of Conduct made by Ministerial order

The *Local Government (Model Code of Conduct) Order 2016* makes the Model Code of Conduct for Tasmanian councillors under section 28R (Model code of conduct) of the Act.

The Minister may amend/revoke/substitute the Model Code of Conduct by order and is to provide a copy of the Model Code of Conduct (or the amended/revoked/substituted model code of conduct) as soon as practicable to councils.

Council adoption of the model code of conduct

Under section 28T (Code of conduct), within three months after the Model Code of Conduct is made by Ministerial order, a council must adopt the Model Code of Conduct, either with or without permitted variations, as its code of conduct relating to the conduct of its councillors. The date by which all councils must adopt the code of conduct is 12 July 2016.

Fourteen days after adopting the Model Code of Conduct, a council is to provide a copy to the Director of Local Government.

A council is also required to meet the same timeframes in relation to a model code that is amended or substituted by the Minister.

Reviewing the code of conduct

Under section 28T, a council is to review its code of conduct within three months after each ordinary election.

Making variations to the Model Code of Conduct

Part 9 of the Model Code of Conduct states that any variation to the Model Code of Conduct is to be in accordance with section 28T of the Act.

Under section 28T, any variations made to the Model Code of Conduct by a council must be approved by the Minister responsible for local government.

In practice, this means that before a council can adopt the Model Code of Conduct (with variations) as its code of conduct, the council will need to obtain approval from the Minister regarding the variations. A request for approval is to be made in writing to the Minister for Planning and Local Government, Peter Gutwein MP (GPO Box 123 HOBART TAS 7001)

Section 28T also provides that any variation to the Model Code of Conduct made by a council is to be set out in a schedule to the Model Code of Conduct. This means that the Model Code of Conduct will remain consistent across local government, with any supplementary council policies/procedures included as attached schedules to the Model Code of Conduct. For example, a council may wish to attach a schedule providing for a councillor expenses policy or gifts and benefits policy.

Once the variations to the Model Code of Conduct are approved by the Minister, and adopted by the council, such policies and procedures form part of the council's code of conduct and are enforceable through the code of conduct framework under the Act.

Making the code of conduct publicly available

The general manager is to make a copy of the council's code of conduct available for public inspection, free of charge, at the public office of the council during office hours, and on the council's website, and for purchase at a reasonable charge.

Requirement of councillors to comply with the code of conduct

Section 28U (Compliance with code of conduct) provides that a councillor is to comply with the provisions of the council's code of conduct while performing the functions and exercising the powers of his or her office with the council.

Disclaimer: Information on legislation contained in this document is intended for information and general guidance only. Such information is not professional legal opinion.

Policy Name:	Code of Conduct for Elected Members
Originated Date:	Adopted 5 June 2006 – Min Ref 187/06 (as Policy 47)
Amended Date/s:	Amended 17 September 2007 – Min. No. 297/07 Amended 17 November 2008 – Min. No. 261/08 Endorsed 18 October 2010 – Min. No. 273/10 Amended 20 August 2012 – Min. No. 209/12 Amended 15 October 2012 – Min. No. 274/12 Amended 22 June 2015 – Min. No. 159/15 Amended 16 May 2016 – Min. No.
Applicable Legislation:	Part 3, Division 3A - <i>Local Government Act 1993</i>
Dataworks Reference:	44/001/001
Objective	This Code of Conduct provides Councillors with guidelines for their conduct in their duty as an elected member.

1. PURPOSE

This Code of Conduct sets out the standards of behaviour expected of the councillors of the Northern Midlands Council, with respect to all aspects of their role.

As leaders in the community, councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each councillor's primary goal of acting in the best interests of the community.

Councillors therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government.

2. APPLICATION

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or
- acts as a representative of the Council.

A complaint or failure to comply with the provisions of the Code of Conduct may be made where the councillor fails to meet the standard of conduct specified in the Model Code of Conduct.

3. STANDARDS OF CONDUCT

The model code of conduct provides for the following eight standards of conduct:

Decision making

A councillor is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.

Conflict of interest

A councillor effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.

Use of office

A councillor uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the councillor and the Council as a whole.

Use of resources

A councillor uses Council resources and assets strictly for the purpose of performing his or her role.

Use of information

A councillor uses information appropriately to assist in performing his or her role in the best interests of the community.

Gifts and benefits

A councillor adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.

Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

4. PRINCIPLES OF GOOD GOVERNANCE

By adopting this Code of Conduct, councillors commit to the overarching principles of good governance by being:

Accountable

Explain, and be answerable for, the consequences of decisions made on behalf of the community.

Transparent

Ensure decision making processes can be clearly followed and understood by the community.

Law-abiding

Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.

Responsive

Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Equitable

Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.

Participatory and inclusive

Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.

Effective and efficient

Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.

Consensus oriented

Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

6. COMPLYING WITH THE CODE OF CONDUCT

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

7. MAKING A CODE OF CONDUCT COMPLAINT

A person may make a code of conduct complaint against one councillor in relation to the contravention by the councillor of the relevant council's code of conduct.

A person may make a complaint against more than one councillor if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;
- state the name of each councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the councillor has allegedly contravened;
- contain details of the behaviour of each councillor that constitutes the alleged contravention;
- be lodged with the general manager within six months after the councillor or councillors against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*.

8. DISPUTE RESOLUTION

Councillors commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the councillors who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A council's internal dispute resolution process should be the first step that is taken when there is a dispute between councillors.

A councillor who is party to any disagreement should request the Mayor (or Lord Mayor) or the General Manager to assist that councillor in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another councillor has not complied with the provisions or intent of the Code of Conduct.

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a council, councillor or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

9. PUBLIC INTEREST DISCLOSURE

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

10. KEY CONTACTS

Department of Premier and Cabinet's Local Government Division
Executive Building, 15 Murray Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: (03) 6232 7022 Fax: (03) 6232 5685
Email: lgd@dpac.tas.gov.au
Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania
326 Macquarie Street, HOBART TAS 7000
GPO Box 1521, HOBART TAS 7001
Phone: (03) 6233 5966
Email: admin@lgat.tas.gov.au
Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission
Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000
GPO Box 822, HOBART TAS 7001
Phone: 1300 720 289
Email: mper@integrity.tas.gov.au
Web: www.integrity.tas.gov.au

Ombudsman Tasmania
NAB House, Level 6, 86 Collins Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: 1800 001 170
Email: ombudsman@ombudsman.tas.gov.au
Web: www.ombudsman.tas.gov.au

CODE OF CONDUCT

1. DECISION-MAKING

- 1.1** A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
- 1.2** A councillor must make decisions free from personal bias or prejudgement.
- 1.3** In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
- 1.4** A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

2. CONFLICT OF INTEREST

- 2.1** When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
- 2.2** A councillor must act openly and honestly in the public interest.
- 2.3** A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
- 2.4** A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
- 2.5** A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
- 2.6** A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a)** declare the conflict of interest before discussion on the matter begins; and
 - (b)** act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

3. USE OF OFFICE

- 3.1** The actions of a councillor must not bring the Council or the office of councillor into disrepute.
- 3.2** A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.

3.3 In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

4. PROPER USE OF RESOURCES

4.1 A councillor must use Council resources appropriately in the course of his or her public duties.

4.2 A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.

4.3 A councillor must not allow the misuse of Council resources by any other person or body.

4.4 A councillor must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the councillor or any other person or body.

5. PROPER USE OF INFORMATION

5.1 A councillor must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.

5.2 A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.

5.3 A councillor must not use Council information for personal reasons or non-official purposes.

5.4 A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

6. GIFTS AND BENEFITS

6.1 A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.

6.2 A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.

6.3 A councillor must carefully consider –

(a) the apparent intent of the giver of the gift or benefit; and

(b) the relationship the councillor has with the giver; and

(c) whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit.

6.4 A councillor must not solicit gifts or benefits in the carrying out of his or her duties.

6.5 A councillor must not accept an offer of cash, cash-like gifts (such as gift cards and vouchers) or credit.

- 6.6** A councillor must not accept a gift or benefit if the giver is involved in a matter which is before the Council.
- 6.7** A councillor may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy).
- 6.8** If the Council has a gifts register, a councillor who accepts a gift or benefit must record it in the relevant register.

7. RELATIONSHIPS WITH THE COMMUNITY, COUNCILLORS AND COUNCIL STAFF

- 7.1** A councillor –
 - (a)** must treat all persons with courtesy, fairness, dignity and respect; and
 - (b)** must not cause any reasonable person offence or embarrassment; and
 - (c)** must not bully or harass any person.
- 7.2** A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.
- 7.3** A councillor must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate.
- 7.4** A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
- 7.5** A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

8. REPRESENTATION OF THE COUNCIL

- 8.1** When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
- 8.2** A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
- 8.3** A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
- 8.4** A councillor must clearly indicate when he or she is putting forward his or her personal views.
- 8.5** A councillor's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
- 8.6** A councillor must show respect when expressing personal views publicly.
- 8.7** The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.

8.8 When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

9. VARIATION OF CODE

9.1 Any variation of this model code of conduct is to be in accordance with section 28T of the *Local Government Act 1993*.

10. REVIEW

10.1 This Policy is due for review by Council within 3 months of an ordinary Council election.

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COUNCIL POLICIES



Policy Name:	Code of Conduct for Elected Members
Originated Date:	Adopted 5 June 2006 – Min Ref 187/06 (as Policy 47)
Amended Date/s:	Amended 17 September 2007 – Min. No. 297/07 Amended 17 November 2008 – Min. No. 261/08 Endorsed 18 October 2010 – Min. No. 273/10 Amended 20 August 2012 – Min. No. 209/12 Amended 15 October 2012 – Min. No. 274/12 Amended 22 June 2015 – Min. No. 159/15
Applicable Legislation:	Section 28E of the Local Government Act 1993; and R.22A Local Government (General) Regulations 2005
Dataworks Reference:	44/001/001
Objective	The objective of this Code of Conduct is to provide Councillors with guidelines for their conduct in their duty as an elected member

1. INTRODUCTION

This Code of Conduct sets out the manner in which Northern Midlands Council expects those elected to Council to behave in respect to all aspects of their role.

This document is based on the Model Code of Conduct Template produced by the Local Government Association of Tasmania.

The document provides guidance to the Mayor, Deputy Mayor and councillors to assist them in carrying out their duties in an appropriate manner as well as information to the community on how they can expect their local government representatives to behave.

In developing this Code of Conduct, the Council has been mindful of the statutory requirements related to Codes of Conduct in the Local Government Act 1993 and the Local Government (General) Regulations 2005 and also recognise that the standards in this Code of Conduct are in addition to the requirements of the Local Government Act 1993 and related legislation.

This code of conduct will assist Councillors in dealing with ethical and behavioural problems which may be encountered in our work and in our roles as representatives of Council.

We understand that as councillors, we are in a position of trust and that collectively we are responsible for decisions which impact on all in our community.

2. LEGISLATION

Section 28E of the *Local Government Act 1993* currently requires the following:

- 1) A council must adopt a code relating to the conduct of councillors by 1 July 2006
- 2) A code of conduct must –
 - a) Be consistent with this Act; and

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- b) Address any prescribed matters; and
 - c) Be reviewed within 12 months after an ordinary election.
- 3) The general manager is to make a copy of the council's code of conduct and any amendments to the code available –
- a) For public inspection at the public office during ordinary office hours; and
 - b) For purchase at a reasonable charge; and
 - c) On its internet site free of charge.
- 4) A councillor is to comply with the provisions of the code of conduct in performing the functions and exercising the powers of a councillor.

Moreover, Regulation 22A of the *Local Government (General) Regulations 2005* prescribes that each council code of conduct must contain a number of elements. These are:

- a) Conflicts of interest
- b) The use of the office of councillor, mayor or deputy mayor
- c) The use of council resources
- d) The use of council information
- e) The giving and receiving of gifts and benefits
- f) Relationships with the community, other councillors and council employees
- g) The representation of the council

To see all the regulations prescribing how a complaint must be made and dealt with please go to www.thelaw.tas.gov.au.

3. STATEMENT OF VALUES

We the elected representatives of Northern Midlands Council are committed to discharging our duties conscientiously and to the best of their ability. We will at all times endeavour to:

- Act with impartiality, taking into account all the information available and making decisions solely on merit;
- Treat all people with respect;
- Act honestly and ethically, declaring our interests, following policies and processes and exercising powers strictly for the purpose intended;
- Be accountable for our decisions, making clear our reasons, keeping proper records and showing discipline and responsibility;
- Show leadership through demonstrating the behaviour we expect of others and ourselves; and
- Act in the best interests of the entire municipal area and the community, balancing the

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interests of all stakeholders.

4. STANDARDS OF CONDUCT

Eight standards of Conduct have been identified. These are:

1. Objective Decision-Making

Councillors must ensure that they bring an impartial and unprejudiced mind to all matters being decided upon in the course of council duties.

This does not mean that councillors are automatically disqualified purely for having held a public view on a matter which is the subject of a council decision. In a case involving a Tasmanian council, the court found that *“expressing such views is part of the electoral process¹”* provided that expressing an opinion does not go as far as indicating a decision has been made.

Elected representatives should adhere to council policy and legal advice in relation to expressing personal versus council views.

2. Conflict of Interest

Councillors must ensure that, when carrying out their public duty, they are not wrongfully influenced by other external interests that they have, or duties that they owe. They must therefore, in all such dealings, put the interests of their community first. The onus is on Councillors to identify a conflict of interest, whether perceived or real, and take appropriate action to resolve the conflict in favour of their public duty.

3. Proper Use of Office

Councillors must not improperly use their position to gain an advantage or confer a disadvantage for themselves or anyone else. They must not conduct themselves in a way which could bring the Council or the position of councillor into disrepute.

4. Proper Use of Resources

Councillors must ensure that neither they nor others associated with them wrongfully benefit at the expense of the Council and its people, and thus are required to use Council property and resources strictly for the purposes of performing their role.

5. Proper Use of Information

Councillors must not disclose, without consent, confidential information or other information which they have acquired as a result of their office with Council. Further, they must actively protect all confidential and other information of Council which comes into their possession or knowledge.

6. Gifts and Benefits

Councillors hold positions of trust within the community. Councillors must exercise their powers and carry out their duties without being influenced by personal gifts or benefits

¹ R v West Coast Council; ex parte Strahan Motor Inn [1995] TASSC 47 (at paragraph 30)

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which they might otherwise enjoy.

7. Relationships with the community, councillors and council staff.

Councillors must be familiar with, and adhere to, laws relating to treatment of people (e.g. antidiscrimination laws) and must treat people with courtesy, fairness, dignity and respect.

8. Representation of the Council

Councillors must ensure that when representing the Council they only do so within the ambit of their authority. Furthermore, councillors must make clear when a personal opinion, as opposed to a Council policy or decision, is being discussed.

In developing these standards the Council has given consideration to the legislative requirements of a Code of Conduct and the values we wish to support.

Further detail on each of the standards, and examples of breaches of the Code of Conduct in relation to these standards is provided in subsequent sections.

5. APPLICATION OF THE CODE OF CONDUCT

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office - that may be mayor, deputy mayor or councillor; or
- acts as a representative of the Council.

A complaint for the failure to comply with the provisions of the Code of Conduct may be made where the Councillor fails to meet the standard of conduct specified in the Code.

Councillors should only invoke the provisions of this Code in good faith, where it is perceived that another Councillor has not complied with its provisions or intent. Councillors should in all cases attempt in to resolve matters of disagreement with one another in the first instance and not immediately resort to a formal complaint.

For information on how to make a complaint, please talk to the General Manager.

6. STANDARD OF CONDUCT 1 – OBJECTIVE DECISION-MAKING

Expectations of Councillors

Councillors must ensure that:

- a) In all of their dealings related to their Council duties, including in making decisions, they strive to do so free of any bias or pre-judgement;
- b) They make decisions solely on merit and in accordance with their statutory obligations when carrying out public business, including the awarding of contracts or recommending individuals for rewards or benefits; and
- c) In making decisions they must:

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- inform themselves as much as possible;
- take all relevant facts known to them, or that they should be reasonably aware of, into consideration; and
- have regard to the particular merits of each case independent of any personalities involved.

Supporting Examples

- 1) If a councillor makes a public pronouncement about support of, or opposition to, an application prior to a decision of Council or suggests prior to a forthcoming Council or Council Committee meeting that they have already come to a decision, it is likely to give members of the public the view that the Councillor has already pre-judged the matter before a decision is made (whether that view is right or wrong does not matter).
- 2) Councillors ought not sign a public petition to Council or be party to a legal claim against Council which demonstrates that in their capacity to influence a decision of Council, they will be likely to bring a partial and/ or prejudiced view.

7. STANDARD OF CONDUCT 2 – CONFLICT OF INTEREST

Expectations of Councillors

- a) Councillors must exercise reasonable judgement to decide if circumstances have arisen that may place them in a potential or actual conflict of interest situation;
- b) Councillors must seek to remove themselves from positions of conflict of interest as far as reasonably possible and so should resolve in favour of the responsibilities of their public office, all conflicts between their Council duties and responsibilities and any other private or personal (including business) duties or interests they have elsewhere, including clubs, memberships and affiliations;
- c) Councillors must adhere to principles of transparency and honesty and therefore always declare actual or potential conflicts of interest at any meeting of Council and at any working group or meeting of an outside body to which they are appointed or nominated by the Council. Moreover, they must abide by the rules, policies and law to adequately and appropriately deal with any conflicts;
- d) Councillors must act in good faith and exercise reasonable judgement, to determine whether the actual or potential conflict of interest is so material that it demands one or more of the following actions in addition to the expectations set out in paragraphs (a) – (c) above, namely that:
 - Councillors state their views on the matter for discussion or decision but abstain from participating in any Council decision on the relevant matter; or
 - Councillors remove themselves physically from any Council discussion and remain out of the room during the decision on the relevant matter.
- e) If in doubt as to whether circumstances might amount or lead to an actual or potential conflict of interest, the Councillor must contact the General Manager to help resolve the course of action.

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Supporting Examples

As a key question, when councillors are asking themselves whether they have a conflict of interest, they should ask themselves whether they are, or may be, wrongfully influenced by other external interests they have, or duties they owe, in making the relevant Council decision.

As examples only, councillors should consider this question in the following contexts:

- 1) If a councillor is involved in the selection of a contractor or supplier of goods or services to the Council, it would be an unacceptable conflict of interest to place a contract with a family member or business contact without declaring the connection. Councillors should then either remove themselves from the process for selection, or if they are required to continue in the process, then strictly follow the applicable Council tendering or other relevant procedures for the selection of a contractor.
- 2) If a decision is before Council in which the Councillor has a personal (non-pecuniary) interest because it will assist a not-for-profit organisation of which the Councillor, or a family member, are a member, then it is required that the Councillor clearly declares the nature of their interest. It is unlikely, however, to be so material that it excludes the Councillor from discussion or decision.
- 3) It becomes even less likely that a councillor will have a conflict of interest the longer it has been since they had a formal involvement with an organisation which may cause conflict.

Note

Where a councillor has a direct or indirect financial interest (pecuniary interest), there are specific provisions in the Local Government Act which must be complied with. Complaints related to pecuniary interest matters should be made to the Director of Local Government and cannot be considered by a Code of Conduct Panel.

8. STANDARDS OF CONDUCT 3 – PROPER USE OF OFFICE

Expectations of Councillors

Councillors must ensure that:

- a) They do not take advantage (nor seek to take advantage) of their position or status to improperly influence others in the performance of their duties or functions, in order to gain an undue, improper, unauthorised or unfair benefit or detriment for themselves or any other person;
- b) In their personal dealings with the Council (e.g. as a ratepayer, recipient of a Council service or applicant for consent granted by Council), they do not expect nor request, expressly or implied, preferential treatment for themselves or any other person or body; and
- c) To act in a manner so as to not bring elected or Council officers into disrepute.

Supporting Examples

- 1) If a councillor wishes to transact business with the council in a private capacity, they

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should make clear the capacity in which they are speaking to staff and must not apply implicit or implied influence as a councillor to obtain preferential treatment for themselves or their family.

- 2) A councillor should not use the code of conduct for political purposes.

9. STANDARD OF CONDUCT 4 – PROPER USE OF RESOURCES

Expectations of Councillors

Councillors must ensure that:

- a) They use Council resources ethically, effectively, efficiently and carefully in the course of public duties;
- b) They do not use Council resources for private purposes except strictly as permitted by the Council for reasonable and limited personal use and, where required as part of such permission, proper payment for the use is made;
- c) They do not convert any property of the Council to their own use unless properly authorised;
- d) They use Council property appropriately, including intellectual property, official services and facilities and do not permit their misuse by any other person or body;
- e) They avoid any action or situation which could create the impression that Council property, official services or public facilities are being improperly used for their own or any other person's or bodies' private benefit; and
- f) Comply with Council's policies and procedures in relation to use of communications devices

Supporting examples

- 1) If the Council provides a Councillor with computer equipment for undertaking public duties, then they should not use that equipment for private work or outside the Council, except strictly in accordance with personal use guidelines or as otherwise expressly permitted by the Council.
- 2) The interest of a Councillor in their re-election is considered to be a personal interest and as a result the reimbursement of travel expenses incurred on election matters is not appropriate. Similarly, council equipment should not be used in a re-election campaign.

10. STANDARD OF CONDUCT 5 – PROPER USE OF INFORMATION

Expectations of Councillors

Councillors must ensure that they:

- a) Protect confidential information in their possession or knowledge;
- b) Only access information needed for them to perform their role;
- c) Do not use confidential information for any non-official purpose;

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- d) Only release confidential information if they have authority to do so;
- e) Only use confidential information for the purpose it is intended to be used;
- f) Only release other information in accordance with established Council policies and procedures; and in compliance with relevant legislation/ laws;
- g) Do not use Council information for personal purposes;
- h) Do not disclose any information discussed during a confidential session of a Council meeting;
- i) Actively protect all commercially sensitive and other confidential information of Council; and
- j) Comply with Council's policies and procedures relating to use of social media and communications.

Supporting examples

- 1) If a Councillor receives information about an organisation through a closed Council Meeting (agendas, papers, discussion) then they must not disclose any part of that information to persons outside Council.
- 2) Information used for public duties should not be copied or taken away from the workplace except strictly as necessary for Council purposes and in accordance with any relevant guidelines laid down within Council.

11. STANDARD OF CONDUCT 6 – GIFTS AND BENEFITS

Expectations of Councillors

Councillors must ensure as part of their duties, they:

- a) Never accept an offer of money, regardless of the amount;
- b) Do not accept gifts and benefits, other than token gifts, without ensuring it is disclosed and recorded in the Gifts Register in keeping with Council policies and procedures; and
- c) Strive to avoid situations in which the appearance may be created that any person or body, through the provision of hospitality or benefits of any kind, is securing (or attempting to secure) a favour from you or the Council.

For more information in respect to the receipt of gifts & benefits please refer to Council's Gifts & Benefits Policy.

Supporting example

- 1) If a Councillor is involved in the allocation of tenders for any work supplied to the Council, they must not accept any benefits from the tenderer as this may be expected or perceived to influence the decision making process.
- 2) If a Councillor is provided with tickets to the theatre or any form of corporate entertaining, then it should be declared in the Council Gift Register in keeping with

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associated policies.

- 3) Token gifts can be defined as table favours, mementoes, remembrances or other tokens bestowed at an official function and other gifts received as souvenirs, marks of courtesy or of a seasonal that have a minor value (eg. books, diaries, ties and scarves, pens, pins and badges, etc) and do not give rise to or create the appearance of a conflict of interest.

12. STANDARD OF CONDUCT 7 – RELATIONSHIPS WITH THE COMMUNITY, COUNCILLORS AND COUNCIL STAFF

Expectations of Councillors

Councillors must ensure that:

- a) Where appropriate, make sure stakeholders have an opportunity to be heard about decisions that affect them;
- b) They do not make allegations to or about other Councillors or members of the public which are defamatory, slanderous, derogatory or discriminatory;
- c) They behave in a manner that is free from discrimination, bullying or harassment’;
- d) Comply with Council’s policies and procedures relating to appropriate workplace behaviour including but not limited to discrimination, bullying and harassment;
- e) They listen to and respect each other’s views in Council and committee meetings and any other proceedings of the Council, and make certain that issues, not personalities, are the focus of debate;
- f) They refrain from directing council staff, other than giving appropriate direction to the General Manager in the performance of the Council’s functions by way of Council or committee resolution, or by the Mayor exercising his or her functions under Section 27(1(ba)) of the *Local Government Act*;
- g) They refrain from, in any public or private forum, directing or influencing, or attempting to direct or influence, any other member of the staff of the Council or a delegate of the Council, in the exercise of the functions of the member or delegate; and
- h) They refrain from contacting an employee of the Council unless in accordance with procedures governing the interaction of Councillors and Council employees that have been authorised by the General Manager.

Supporting examples

- 1) Councillors should show respect to all other Councillors, even if they hold different views and not try to change a view through intimidation or bullying.
- 2) Councillors should respect the impartiality and integrity of Council staff and behave towards them in a way that engenders mutual respect.
- 3) Councillors should treat all employees with courtesy and respect and observe any guidelines that the General Manager puts in place regarding contact with employees.

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- 4) Councillors must not victimise another councillor for having made a complaint.
- 5) Councillors must not verbally attack another Councillor personally, only their views should be challenged in a rational and dignified manner.
- 6) When referring to other Councillors in a public forum, including electronic forms of communication, Councillors should be conscious of how their comments will be perceived. Councillors should ask themselves what a reasonable observer would think.

13. STANDARD OF CONDUCT 8 – REPRESENTATION OF THE COUNCIL

Expectations of Councillors

Councillors must ensure that:

- a) When giving information to the community, they accurately represent the policies and decisions of the Council;
- b) They do not speak on behalf of the Council unless they have been specifically authorised or delegated by the Mayor;
- c) They clearly indicate when they are putting forward personal views;
- d) They do not knowingly misrepresent information they have obtained in the course of their duties; and
- e) When representing Council on external bodies, they make efforts to clearly understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such appointment.

Supporting example

The Mayor is spokesperson of Council. This does not mean that councillors cannot express a particular view, however, Councillors must report on Council's policies and decisions accurately and clearly distinguish between their personal views and the official position of the Council.

14. BREACHES OF THE CODE

The primary responsibility for compliance with the Code of Conduct lies with each user.

In accordance with Regulation 22B of the Local Government (General) Regulations 2005, a complaint regarding the alleged failure of a Councillor to comply with any provision of this code of conduct for Councillors must:

- (a) be in writing; and
- (b) be lodged with the mayor (or the deputy mayor if the complaint relates to the mayor; and
- (c) be lodged within 90 days after the alleged failure to comply with the code of conduct; and
- (d) contain particulars of the alleged failure; and
- (e) identify the complainant; and
- (f) be accompanied by the fee of 20 fee units (as specified in item 4 of Schedule 3), in

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accordance with S28F of the Local Government Act 1993

Complaints about failures of a Councillor to comply with any provision of the Code of Conduct for Councillors will be referred to a Code of Conduct Panel or a Standards Panel in accordance with sections 28F to 28I of the Local Government Act 1993 and Regulations 22A to 22U of the Local Government (General) Regulations 2005.

Where breaches of this code also constitute breaches of legislation, penalties may be imposed by legislation and any breach or complaint will be referred to the statutory authority for the relevant Act. Being found guilty of an offence may, in some instances, also lead to a Councillor being disqualified from holding office.

In all cases where a criminal offence has been committed the matter will be referred to the police.

15. REVIEW

This Policy is due for review by Council within 12 months of the next ordinary Council election which is due to be held in 2018.

Recommended content to accompany the Model Code of Conduct

The Director of Local Government recommends that councils include the following information as an accompaniment to the Model Code of Conduct. Councils may amend, supplement and re-format the content as considered appropriate.

I. Introduction

Purpose of code of conduct

This Code of Conduct sets out the standards of behaviour expected of the councillors of the [x] Council, with respect to all aspects of their role.

As leaders in the community, councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each councillor's primary goal of acting in the best interests of the community.

Councillors therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government.

Application of code of conduct

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the councillor fails to meet the standard of conduct specified in the Model Code of Conduct.

Standards of conduct prescribed under the Model Code of Conduct

The model code of conduct provides for the following eight standards of conduct:

I. Decision making

A councillor is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.

2. Conflict of interest

A councillor effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.

3. Use of office

A councillor uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the councillor and the Council as a whole.

4. Use of resources

A councillor uses Council resources and assets strictly for the purpose of performing his or her role.

5. Use of information

A councillor uses information appropriately to assist in performing his or her role in the best interests of the community.

6. Gifts and benefits

A councillor adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.

7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

Principles of good governance

By adopting this Code of Conduct, councillors commit to the overarching principles of good governance by being:

Accountable – Explain, and be answerable for, the consequences of decisions made on behalf of the community.

Transparent – Ensure decision making processes can be clearly followed and understood by the community.

Law-abiding – Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.

Responsive – Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Equitable – Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.

Participatory and inclusive – Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.

Effective and efficient – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.

Consensus oriented – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

2. Legislation

The code of conduct framework is legislated under the *Local Government Act 1993* (the Act). The Act is available to view via the Tasmanian Legislation Website at www.thelaw.tas.gov.au.

Code of conduct

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

Making a code of conduct complaint

A person may make a code of conduct complaint against one councillor in relation to the contravention by the councillor of the relevant council's code of conduct.

A person may make a complaint against more than one councillor if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;

- state the name of each councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the councillor has allegedly contravened;
- contain details of the behaviour of each councillor that constitutes the alleged contravention;
- be lodged with the general manager within six months after the councillor or councillors against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

Code of conduct complaint lodgement fee

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$75.50 in 2015/16).

3. Further assistance

Councillor dispute resolution

Councillors commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the councillors who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A council's internal dispute resolution process should be the first step that is taken when there is a dispute between councillors.

A councillor who is party to any disagreement should request the Mayor (or Lord Mayor) or the General Manager to assist that councillor in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another councillor has not complied with the provisions or intent of the Code of Conduct.

Complaints under the *Local Government Act 1993*

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a council, councillor or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

Public Interest Disclosure

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

Key contacts

Department of Premier and Cabinet's Local Government Division

Executive Building, 15 Murray Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: (03) 6232 7022 Fax: (03) 6232 5685
Email: lgd@dpac.tas.gov.au
Web: www.dpac.tas.gov.au/divisions/local_government

Local Government Association of Tasmania

326 Macquarie Street, HOBART TAS 7000
GPO Box 1521, HOBART TAS 7001
Phone: (03) 6233 5966
Email: admin@lgat.tas.gov.au
Web: www.lgat.tas.gov.au

The Tasmanian Integrity Commission

Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000
GPO Box 822, HOBART TAS 7001
Phone: 1300 720 289
Email: mper@integrity.tas.gov.au
Web: www.integrity.tas.gov.au

Ombudsman Tasmania

NAB House, Level 6, 86 Collins Street, HOBART TAS 7000
GPO Box 123, HOBART TAS 7001
Phone: 1800 001 170
Email: ombudsman@ombudsman.tas.gov.au
Web: www.ombudsman.tas.gov.au



WORLD HERITAGE SITE

NORTHERN MIDLANDS COUNCIL					
Location					
File No.					
Property					
Attachments					
REC'D 4 APR 2016					
GM	<input checked="" type="checkbox"/>	A	MYR	<input checked="" type="checkbox"/>	A
P&DM	<input checked="" type="checkbox"/>		CRS	<input checked="" type="checkbox"/>	
CSM	<input checked="" type="checkbox"/>		PLAN	<input checked="" type="checkbox"/>	
E&DM	<input checked="" type="checkbox"/>		BLD	<input checked="" type="checkbox"/>	
WM	<input checked="" type="checkbox"/>		HLT	<input checked="" type="checkbox"/>	
HR	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

A-M ✓

Mayor David Downie

Northern Midlands Council

PO Box 156

Longford TAS 7301

Dear Mayor

On behalf of the Board of the Woolmers Foundation Inc., I take this opportunity to invite your Council to partner with Woolmers as part of an exciting stage of its history – the celebration of its Bicentennial in 2017 and the development of a state of the art Visitors Centre scheduled for opening during that year.

Initial contact has been made with Council by Shirley McCarron, the Coordinator of the Bicentennial activities, and David Hudson and I understand that the support of Council of the planned events during 2016 and 2017 is possible, subject to Council's budgetary considerations.

It is apparent that the activities planned for Woolmers' Bicentennial in 2017 and the opening of the new Visitor Centre in that year will contribute significantly to Council's Strategic Plan 2007-2017, and in particular to the economic and social outcomes being sought in Parts 2, 3 and 4 of the Plan. The promotion of and growth in heritage tourism attractions such as Woolmers, Brickendon and similar properties provide direct and indirect benefits to businesses, organisations and individuals in the northern region of Tasmania. The partnering of our two organisations would, I believe, be of considerable benefit to the Northern Midlands community.

I have attached a proposal which provides details of the support being sought by Woolmers, together with some of the story behind Woolmers Estate.

I would be grateful if Council could give positive consideration to this proposal. I will ask Shirley and David to contact Council again in the near future, or you could contact them by email (shirley@woolmers.com.au and HUDSONS@HUDSONCONSULTING.COM.AU). If further information is required, please let them know.

Woolmers Estate
PO Box 15
Longford Tasmania 7301

Phone: 6391 2230
Fax: 6391 2270
enquiries@woolmers.com.au

Thank you for giving this proposal consideration. With partnerships such as this, and with the support of other organisations like the National Trust, tourism bodies, and producers and providers of Tasmania's world renowned food and beverages, the news for economic and social development in the Northern Midlands can only be positive.

Yours sincerely



Hon. Peter Rae, AO

Chairman

Woolmers Foundation Inc.

31 March 2016

Woolmers Estate
PO Box 15
Longford Tasmania 7301

Phone: 6391 2230
Fax: 6391 2270
enquiries@woolmers.com.au

Building for the Future - Celebrating the Past

Woolmers Estate - A World Heritage Site in Tasmania

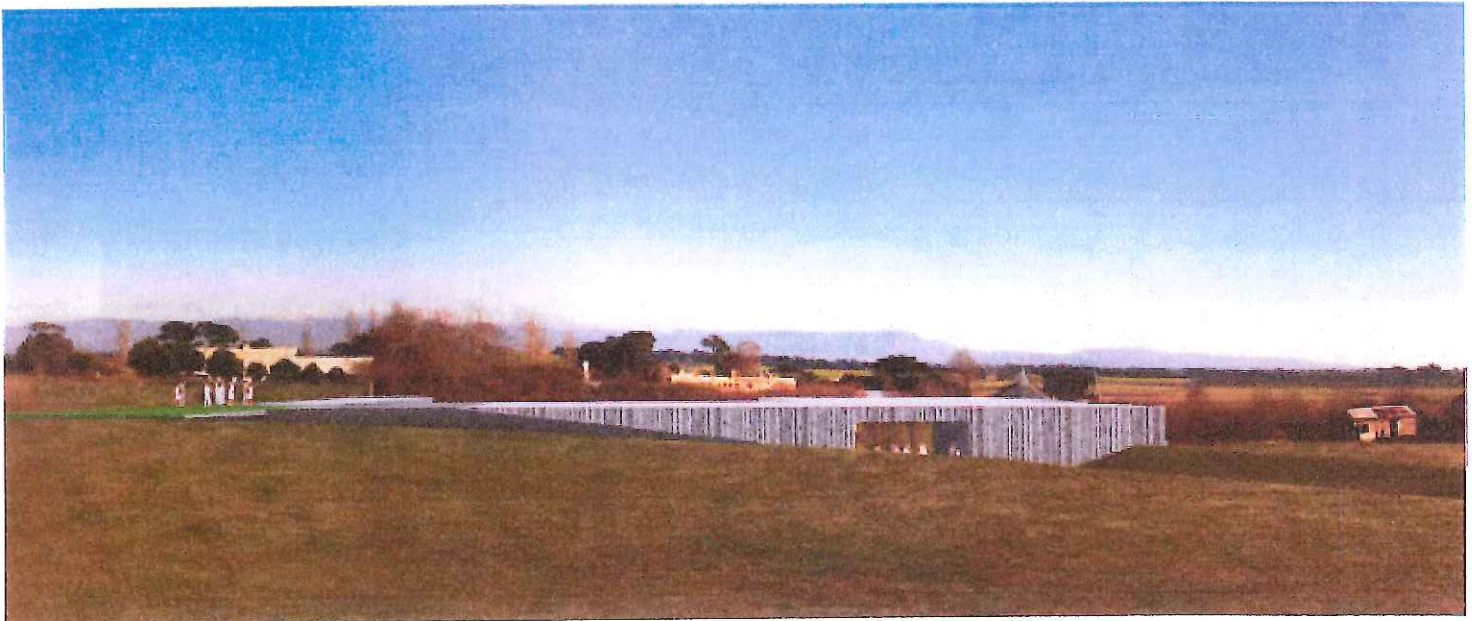


Woolmers Homestead built in 1817

Woolmers' Outbuildings



New Visitor Centre



Rose Festival



We are “Celebrating the Past” – Woolmers’ Past

Woolmers Estate, founded by Thomas Archer (the First) in 1817, celebrates its Bicentennial in 2017. Recognised by UNESCO in 2010 as a World Heritage Site, it is an integral part of Tasmania’s convict assignment history during the colonial era and one of the oldest surviving colonial estates in Tasmania.

The Woolmers Bicentennial

Background

Woolmers attracts visitors from around Australia and overseas. Attracted by this amazingly intact heritage site, they can undertake guided tours of the property, including the original homestead, the National Rose Garden and the oldest two storey wool shed in Australia. Other special interest tours are available and guests can stay in our unique colonial cottages c1840 and enjoy home cooked meals in the original Servants Kitchen Café.

Established by Thomas Archer in 1817, a further five Thomas Archers owned and managed Woolmers until Thomas 6th died in 1994 leaving the Estate to Woolmers Foundation Inc., a not-for-profit organisation, dedicated to the preservation of this highly important heritage site and museum. They are assisted by a small staff and a group of committed volunteers.

“Building the Future - Celebrating the Past” is part of a series of activities and events being arranged by the Woolmers Foundation Board during 2017. The Board has asked Shirley McCarron AM to undertake the role of Chairperson of the Bicentennial Committee. In addition to the opening of the new Visitor Centre, other events are expected to include reunions and celebrations; sporting events (horse racing, cycling and yachting); Rose Garden and other botanical activities; musical events (with the TSO, Army Band and others); artistic activities (creation of 6 embroidery panels by women and men around Tasmania; exhibitions at TMAG and QVMAG); artists in residence and workshops around the state; children’s events (colonial crafts, children’s gardens and historical education programs); and possibly an historical literary award.

The Bicentennial events will ensure that the local Northern Midlands communities are involved in preparing and being involved in every aspect. With their support, and that of the Northern Midlands Council, Local Government Association of Tasmania and the National Trust, a major heritage conference is also being planned to be held in Longford. Also the facilities of Woolmers (and hopefully Brickendon) are being opened up to broader local and Tasmanian usage.

The success of Woolmers over the past 200 years has depended on its interactions with other producers, trades and businesses in the local and greater Northern regions. The economic and social growth of the region and Tasmania has also been contributed to by the insights and growth of properties like Woolmers. This interdependence continues today, and the plans for Woolmers over the coming years depend on the relationships it has with its suppliers, its clients and the local community.



We invite you to join us as we 'Build for the Future' – Woolmers' Future

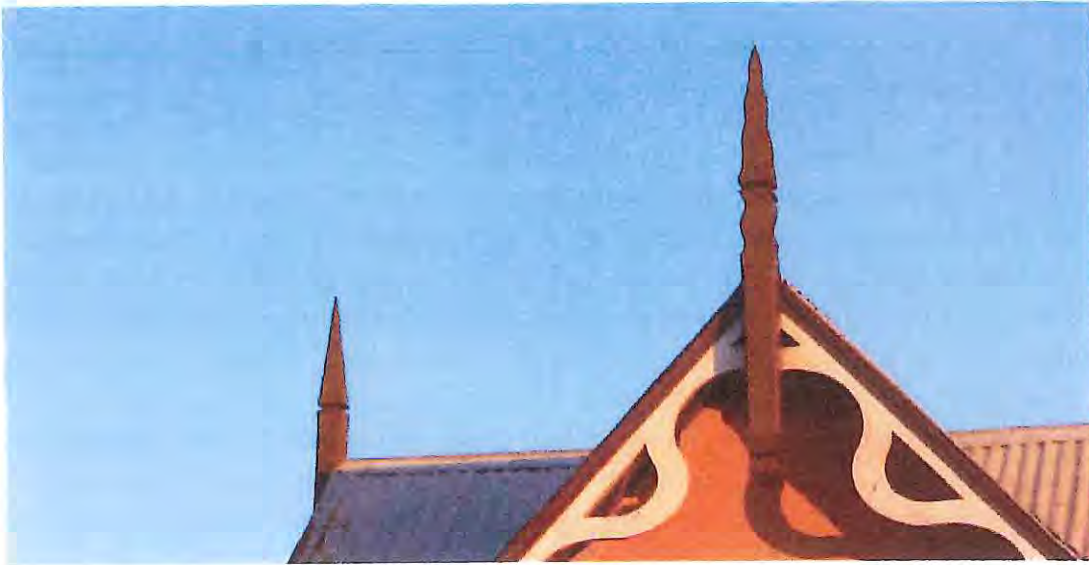
Woolmers Foundation Board has its eyes fixed firmly on the future and realises the need for carefully managed change that enhances the visitor experience and continues the promotion of this enchanting time capsule of early Australian colonial days. Given this need, the vision of the new Visitor Centre was raised more than ten years ago.

In 2016 the first sod will be turned on site that will result in the building of the exciting new Visitor Centre, overlooking the National Rose Garden on the Estate with the vista beyond of Longford and the Western Tiers. The establishment of the Centre will enhance the visitor experience to Woolmers and attract more tourists to other Tasmanian World Heritage sites and to Tasmania's world-renowned heritage sites. It has been made possible through a public/ private partnership between our Patrons, Mr Nigel Peck AM and Mrs Peck and the Premier of Tasmania, the Hon. Will Hodgman and his Government. Their belief in the importance of promoting and preserving this historical treasure resulted in provision of \$4.1 million to enable the Centre to come to fruition.

The new Centre will feature a spacious reception area, gift shop, restaurant and bar, multi-function galleries designed for exhibitions, events, meetings and performances, archival/research space and an administration office. Woolmers' proximity to Launceston, the Midlands Highway and the Launceston Airport make it an ideal starting point and centre for heritage tourism for all tourists in Tasmania.

Following the confirmation of the funds, progress has been rapid with an architect appointed resulting in a superb design being approved. The project is underway, with all permits in place, including Heritage Tasmania and Local Government approvals. A Steering Committee headed by the Woolmers Chairman, the Hon. Peter Rae AO, has been appointed to advise on all requirements as the building progresses and to meet on a regular basis to review progress.

The new Centre is scheduled to open its doors to our visitors early in Woolmers' Bicentennial Year, 2017.



Woolmers is on the verge of great change!

As the Woolmers Visitor Centre and the new entry facilities take shape, it will provide employment for a range of people, from builders, plumbers, electricians and other tradesmen. In addition, staff will be required for visitor reception, tour guides, gift shop, restaurant and galleries, helping to stimulate the local community economically. This is in addition to a larger site management and maintenance team of employees and, essentially, volunteers.

The new Centre, together with an expanded interpretation program, will attract more Tasmanians and tourists to Woolmers, providing a stimulus to other businesses in the Northern Midlands and Launceston regions. The facilities will also be a welcome addition to the region for use as a location for weddings, conferences, meetings, receptions, exhibitions and other events.

To achieve the final step and open this state of the art building to the community and our visitors, we need to ensure that it is furnished and equipped to a high standard, ranging from seating, gallery furnishings and lighting, gift shop and reception equipment, commercial kitchen, restaurant furniture and air conditioning – the list goes on. Some of these facilities may be included within the current funding – this will be finalised in the near future. This work will also provide jobs for local suppliers.

Arrangements are in train to retain a well-known chef and restaurateur to manage the hospitality components of the Centre. With the daily provision of

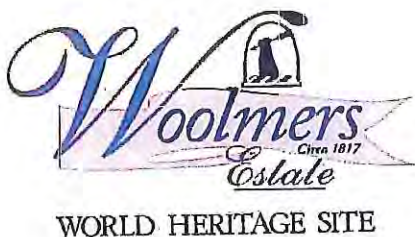
services to visitors and the developing conference, wedding and community meeting activities, the potential for growth in activity and reputation is large.

The Centre will also provide opportunities for local suppliers with the produce and products required to operate the Centre (for use in the restaurant and gift shop for example) will also need to be of a very high standard, supporting local providers if at all possible. This will enable patrons and visitors to experience the wealth of Tasmania's renowned food, wine, art and other products.

This is where Woolmers recognises its interdependence with the Northern Midlands community. In the past, now and into the future, Woolmers interacts with local producers and organisations to mutually showcase Tasmania's natural and built heritage. It interacts with community groups, with Woolmers as a site to meet and have activities, and the groups as providers of volunteers to the Estate. And Woolmers wishes to interact more with individuals from the region, developing the Estate into a part of community and family activities.

In addition to the building works, the events leading up to and during the Bicentennial year will provide opportunities for the region's community to re-engage with Woolmers. The potential for Woolmers, together with Brickendon and other heritage sites in the area, to be significant contributors to the economic and social strength of the Northern Midlands will become evident over the next two years.

Northern Midlands Council and Woolmers – A Partnership



With its wealth of built heritage assets, together with its natural beauty and fine wining/dining experiences, Tasmania has a plethora of attractors for local, interstate and overseas tourists to the state. This in turn provides clientele for other providers and tourism operators in Tasmania.

The location of Woolmers close to Launceston and the major tourism routes make it ideal as a centre for heritage and general tourism. The possibility of Woolmers being the northern Tasmanian centre for World and National Heritage in the state is being considered (similar to the role that Port Arthur currently places in the south).

The World Heritage listing of Woolmers and Brickendon will ensure a growth of the state-wide and regional importance on tourism and hospitality. It is expected that the area in general, and therefore the Council, will benefit from this growth.

A full list of the possible events leading up to and during 2017 is attached. It will be seen that all of the events will have a positive impact on the local community, through retail and hospitality activity from day and longer term visitors. It will also ensure that the attractions available in the area can be promoted in Tasmania, interstate and overseas.

All the events are likely to have the above beneficial impacts, and as such, the general support of the Council in terms of publicity and promotion would be of considerable assistance to Woolmers. However, there are a couple of the specific events which could be seen by Council as an opportunity to support local events with both short and longer term benefits to all.

These specific events are:

1. *"Preserving the Future – Economics of Heritage"*

It is recognised by all heritage sites that the resources and expertise necessary to successfully maintain and expand their properties (providing economic benefits to the local and State economies) is not available in each location.

It will be only through the cooperation of the property owners/managers between themselves and with other major stakeholders (such as all levels of government, finance and business experts, and stakeholder and lobby groups) that these ambitious, but extremely beneficial plans will come to fruition.

To respond to this challenge, as part of its Bicentennial, Woolmers is planning to coordinate a conference which will bring together all the players in ensuring the future of heritage properties and related Tasmanian tourism to discuss the ways to optimise the intellectual, financial and physical resources available to the heritage sector.

The conference will be held in conjunction with the National Trust and its Heritage Week in May 2017. It will be held in Longford and at properties in the Northern Midlands area. The support of the National Trust and Brickendon Estate has already been offered.

A recent planning session indicated that the conference should:

- Be mainly a workshop/discussion style, with minimal formal speakers.
- Discuss how “heritage” people can support each other in terms of knowledge, resources, promotion, etc.
- Discuss issues such as funding, tourism, advocacy, resource sharing, etc.
- Invite government representatives, heritage practitioners and experts (including Indigenous heritage), heritage owners and managers, potential funders, tourism operators, landscape experts, etc, from Tasmania, the mainland and overseas.
- Attract all ages by providing other activities such as music, the arts and dining experiences.
- Already the principals operating the Longford Academy training courses in preservation of heritage buildings have agreed to play a major part in this conference.
- As well the Premier Hon Will Hodgman has indicated an appreciation of the importance of this and that it is a way in which two of the strong recommendations of the Legislative Council Committee on Heritage Tourism can be implemented.

It would be hoped that the conference would conclude having created a network of like-minded and mutually supportive stakeholder and operators, a well-recognised and valued lobby group, and a series of well-informed user “manuals” for the maintenance and upgrade of heritage properties and the services they offer.

2. *Woolmers Reunion and Formal Opening of the Visitor Centre*

At this stage it is expected that this weekend of activities will occur during the 2017 March long weekend (10-13 March). This will be an opportunity for all people with links to Woolmers during its 200 year history or their descendants to come together to remember and celebrate their contribution to Woolmers and what Woolmers provided to them (good or bad).

Through known contacts and through broad publicity, it is hoped to attract both local families and visitors from Tasmania and farther afield to join in a

weekend of activities and ceremonies. Representatives of the Archer family, convicts, tradesmen, free settlers and the local community are invited to attend the opening of the Visitor Centre, cocktail and dinner parties, tours of Archer family properties (including parts of Woolmers not usually open to the public), barbeque and church service at Christ Church.

3. *Festival of Roses, Art Exhibition and Antique Fair*

These events are each developing a significant place in the region's annual calendar of events. Woolmers is reviewing how and when each event is being run and promoted, with the aim of ensuring that there are events occurring at varying times of the year, which will attract visitors with specific interests in those events plus those who will also be involved in other offerings at that time (be they music, food, art or heritage related events).

In 2015, these events attracted an estimated 7,000 people in total. The potential to increase this attendance and to extend the visitation from a day trip to one or two nights are both outcomes being sought from this review.



Potential Role of Northern Midlands Council

The support of Northern Midlands Council is requested to assist Woolmers to provide a widely publicised and well attended series of events over the next two years. It is the intention that the vast majority of events will be self-funded, however, the support of Council, both financially and in-kind, would ensure that the events would be more widely publicised and could be provided at a more attractive cost to attendees.

The Woolmers Foundation Inc. is requesting Council's consideration of:

- Financial – a grant of \$5,000 which will be used to promote and publicise the Bicentennial events and the Northern Midlands region.
- In-kind – the support of Council through such means as access to Council properties (eg. the Town Hall for the Conference), staff to assist with event preparations (eg. ground staff, traffic management), the use of Council equipment (indoor and outdoor furniture, barbeques) and publicity in Council publications (newsletter, web site). This could come to the value of \$5,000 in total.

Woolmers, with the support of the Council, can achieve the most significant development at Woolmers since its establishment, which will boost employment opportunities in the region, provide enhanced community access and ensure Woolmers Estate provides the ultimate tourist heritage experience of colonial heritage in Northern Tasmania.

The joint efforts of Council and Woolmers will provide significant opportunities for both organisations to contribute to and benefit from Tasmania's burgeoning tourism industry and bring economic and social development to the Northern Midlands region.

We invite the Council to be a part of that development. In turn, Woolmers can offer a number of benefits to the Council. Depending on the details of our arrangements, these benefits could include -

- Sponsor banners at various major events
- VIP Opening of the new Visitor Centre
- Invitations to Special Events
- Council Logos in all agreed publications
- Invitations to all events during the Bicentennial Year
- Website presence (logos, links to Council's site)
- Promotion of the region on behalf of Council in publications (computer front screens, pamphlets, posters)
- Referrals between Woolmers and other Northern Midlands' attractions
- Special entry charges or services for Council's use of the Woolmers' services and facilities.

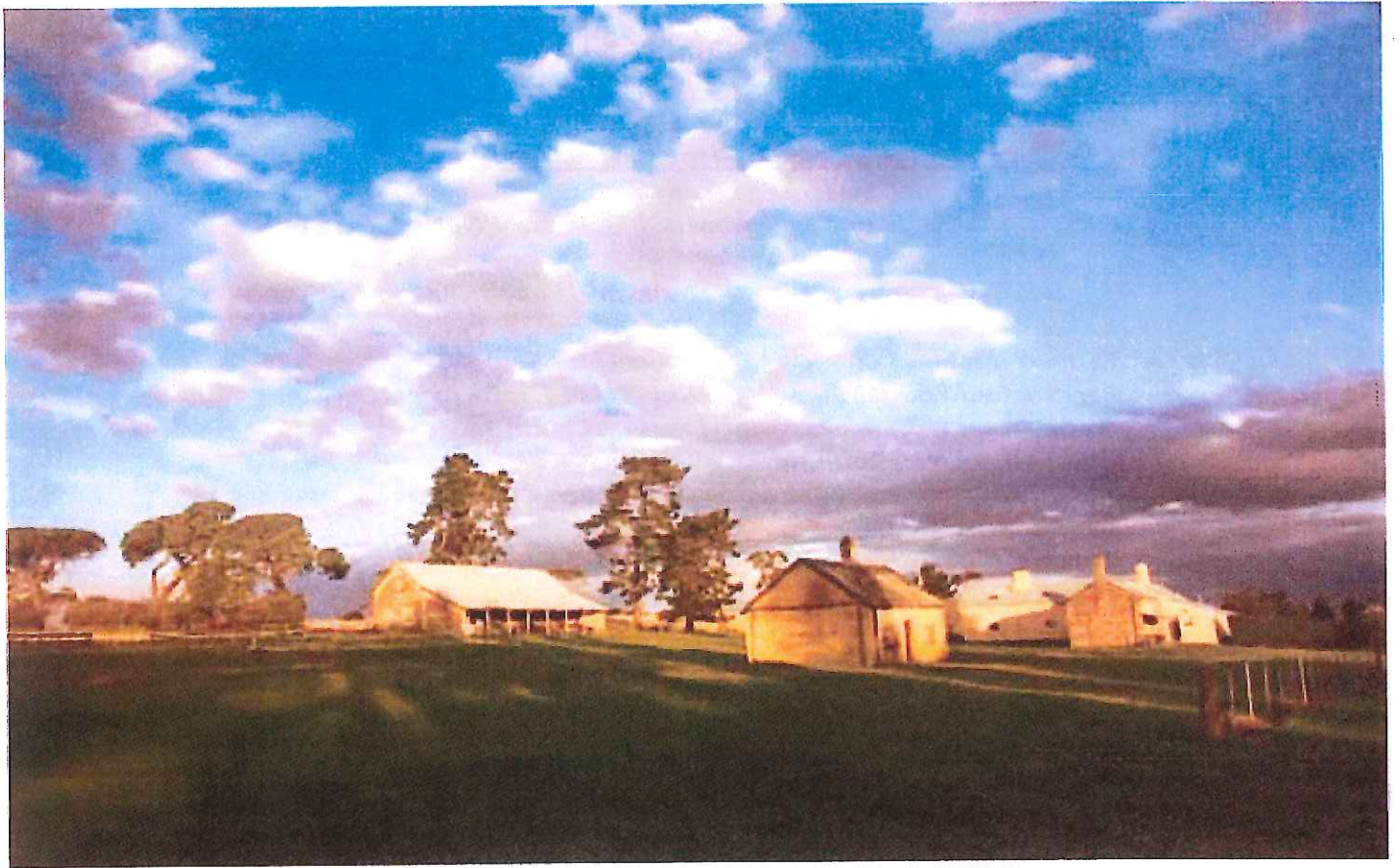
We look forward to discussing the exciting possibilities of this partnership with you in the near future. Please contact David Hudson on 0418122494 (or HUDSONS@HUDSONCONSULTING.COM.AU) or Shirley McCarron on 0428630113 (or SHIRLEY@WOOLMERS.COM.AU) to discuss how we can optimise the potential of this relationship.

The Rose Garden, Woolmers Estate



Woolmers Estate - 2015





NORTHERN MIDLANDS COUNCIL

COUNCIL POLICIES



Policy Name:	Festivals, Events & Promotions
Originated Date:	Adopted 13 March 2000 – Min. No. 120/00 (as Policy 23)
Amended Date/s:	Reviewed 21 January 2013 – Min. No. 13/13
Applicable Legislation:	Section 77 of the <i>Local Government Act 1993</i>
Dataworks Reference:	44/001/001
Objective	<p>To establish a policy relating to the allocation of assistance to Festivals, Events and Promotions that:</p> <ul style="list-style-type: none"> • Increase the well-being of residents • Attract economic benefits through growth in the number and length of stay of visitors <p>Promote the establishment of industry related business activity and employment opportunities for residents.</p>

1. GENERAL

- 1.1 Assistance to be made available from the General Rate Account for the program.
- 1.2 Assistance may be “in kind” or grant, or a combination of these methods.
- 1.3 Council to give notice by advertisements in at least the Examiner and on the website of opening and closing dates for applications. Closing dates will generally be 31 March and 30 September.
- 1.4 Applications shall provide such information as Council requires including:
 - 1.4.1 Copy of Articles of Association and/or their Constitution
 - 1.4.2 Project Budget and copies of appropriate insurance policies
 - 1.4.3 Copy of Organisation Balance Sheet as at 30 June in preceding year
 - 1.4.4 ABN number if the organisation is registered for the Goods & Services Tax (GST) system.

2. ELIGIBLE EVENTS

The Council will consider requests for assistance by community, sporting and non-profit organisations holding major festivals, events or promotions in the Northern Midlands.

Major festivals, events and promotions are defined as significant events that are the only one of their kind in the Northern Midlands in any one year, and attract significant numbers of people to the event (generally in excess of 2,000) and/or attract significant media coverage for the Northern Midlands.

NORTHERN MIDLANDS COUNCIL

COUNCIL POLICIES



3. ELIGIBLE ORGANISATIONS

Any community group, organisation or club that is legally incorporated or operating under the auspices of an incorporated body. The organisation must hold and produce evidence of public liability cover for the event.

4. ELIGIBLE ASSISTANCE

In-kind support includes provision of such items as wheelie-bins, barricades, photocopying paper and provision of services such as preparation of fliers, delivery and collection of bins, erection of barricades and advertising of street closures. The cost to Council of any in-kind assistance approved will be calculated and costed against the application.

Requests for direct financial assistance may be considered e.g. by an organisation in the south of the municipal area where it is impractical for photocopying to be done at the Council Chambers in Longford and therefore application is made for funds to cover photocopying expenses incurred locally.

The maximum allocation to an event is \$1,650 (incl. GST), except in the case of a major new event which can be eligible for a one-off seeding grant of up to \$3,300 (incl. GST).

Assistance will not be provided for money already spent on events previously held.

5. PRIORITIES

The funding available is limited. Priority will be given to events that:

- Have a significant benefit for a wide range of Northern Midlands residents and businesses
- Are unique within the Northern Midlands
- If profit making, put the funds back into the community, preferably through community projects that will benefit a wide cross-section of the community.

6. APPLICATIONS

Applicants are requested to complete the application form in its entirety, and return the completed form by the due date to:

The General Manager
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301

Organisations seeking clarification when completing the form are welcome to contact Council's Customer Service Team on telephone number 63 977 303.

7. POLICY OUTCOMES

The outcomes of this policy will be to:

- Meet the needs of residents and visitors for enjoyment, sport, recreation, art and culture

NORTHERN MIDLANDS COUNCIL

COUNCIL POLICIES



- Promote healthy lifestyles of residents through participation in events
- Provide a great place to live where residents are provided with both free and paid entertainment of a standard that meets or exceeds their expectations
- Improve residents and visitors understanding of the cultural diversity of the Northern Midlands
- Increase the number and length of stay of visitors to the Heritage Highway area
- Maintain a vibrant and dynamic calendar which encourages cutting edge events
- Improve the economic development of the Northern Midlands area.

8. ASSESSMENT CRITERIA

The assessment criteria for funding under this policy will include:

- The potential for significant impact on the local economy and on the number and length of stay of visitors
- Financial viability and the potential to be self supporting
- The event must not clash with or be in conflict with an existing significant event
- Whether the applicant group has the community support and financial and organisational skills necessary to carry out the project.

All applications received will be referred to Council who will determine which event, festival or promotion will be assisted, and to what extent.

Applicants will be notified of the outcome of Council's deliberations.

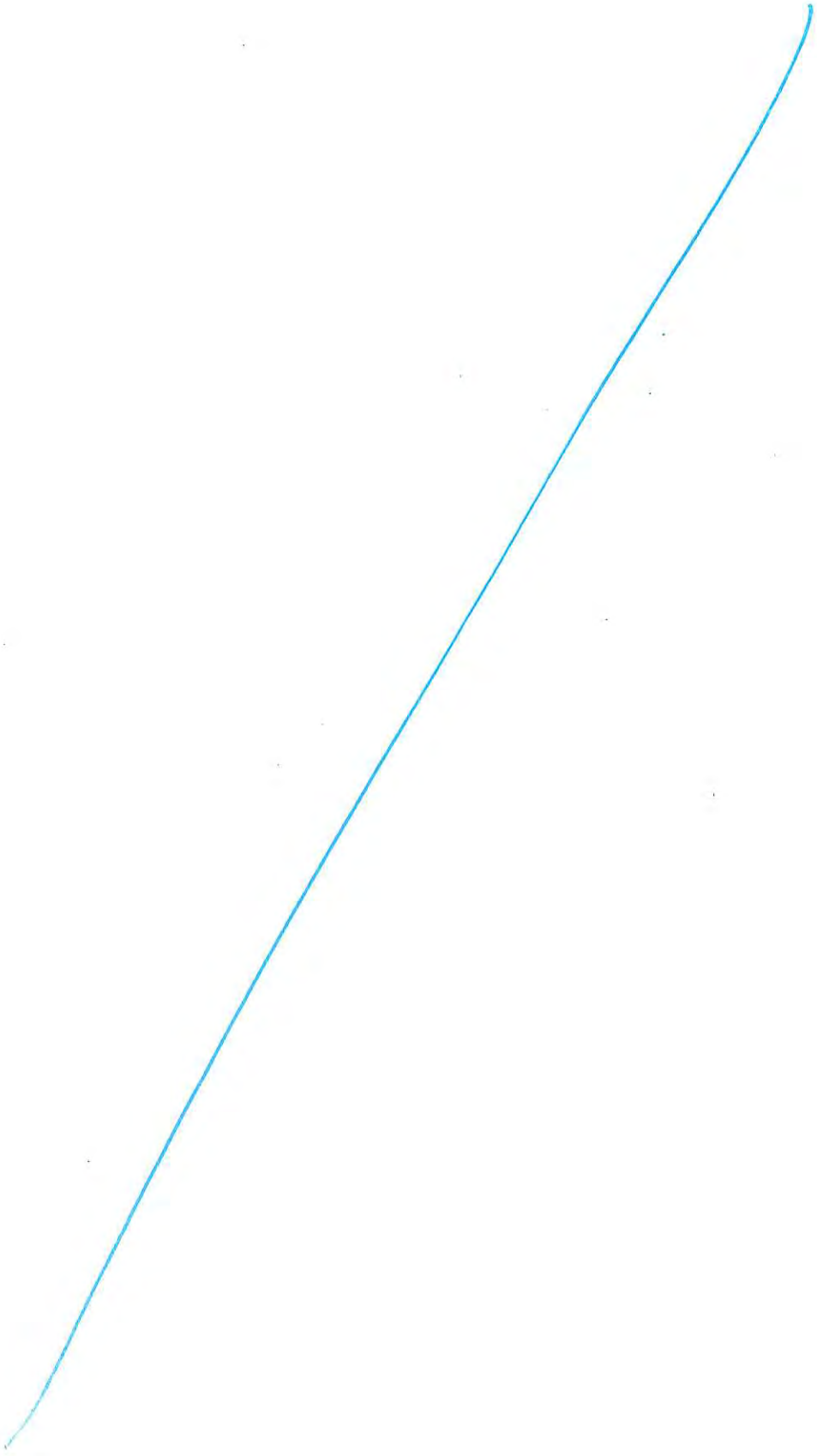
9. POST-EVENT EVALUATION

An evaluation of the project by the Organising Committee is a pre-requisite to continued funding.

Targeted review of the Local Government Act

Discussion paper for consultation

APRIL 2016



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Foreword

Minister for Planning and Local Government

Local government plays an important role in providing infrastructure and services for healthy, safe and vibrant communities.

The Tasmanian Government is committed to improving the efficiency and effectiveness of local government to reduce costs to ratepayers and to make Tasmania the best place in the country to live, work, invest and raise a family.

The *Local Government Act 1993* (the Act) provides a sound framework for supporting councils to effectively govern themselves. I am not intending to throw out the Act, rather my intention is to keep what is working and fix what isn't.

There is a heightened level of community concern over how some councils are managing their affairs, with how and why councils make decisions currently under the microscope. The review of the Act is precisely aimed at improving governance arrangements within our councils.

There are a number of challenges confronting local government and it is timely that we take the opportunity to consider what has served us well, with a view to addressing the current and future challenges for local government in the 21st century.

The last comprehensive review of the Act was commenced in 2003, with the resultant changes coming into effect in 2005 through the *Local Government Amendment Act 2005*.

I want to ensure the local government sector is sustainable in the long-term, with sound governance arrangements and the strategic capacity to function effectively. These priorities are crucial to ensuring councils deliver efficient and cost-effective services for the communities they serve.

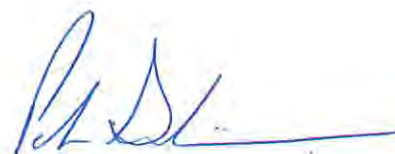
The review has the following objectives:

- Improve governance in local government and make the Act less prescriptive where possible;
- Clarify certain functions and powers of statutory bodies, councillors and general managers within the Act; and
- Ensure fair and transparent local government elections.

This discussion paper addresses elements of the Act that contribute to these objectives. The paper suggests some ideas for possible changes to the Act and provides an opportunity for those involved in local government and members of the public to express their views.

While I expect local government to play a significant role in the review, I also encourage all interested parties, including community groups and members of the public, to participate in the review process.

Thank you for taking the time to read the discussion paper and I look forward to hearing your views.



The Hon Peter Gutwein, MP
Minister for Planning and Local Government

Introduction

Good governance in local government

Governance refers to the processes and culture that guide the activities of an organisation beyond its basic legal obligations.

Tasmanian councils must understand and operate in accordance with best practice governance principles to effectively lead and provide services to their communities.

HOW IS LOCAL GOVERNMENT ESTABLISHED IN TASMANIA?

Local government is one of the three spheres of government in Australia: Commonwealth, State and Local. Each sphere has separate responsibilities, although there are areas of mutual interest and cooperation.

The existence of local government as the third tier of government in Tasmania is founded in the *Tasmanian Constitution Act 1934*, which states:

- there shall in Tasmania be a system of local government with municipal councils elected in such manner as Parliament may from time to time provide; and
- each municipality shall have powers as Parliament may from time to time provide, being such powers as Parliament considers necessary for the welfare and good government of the municipalities.

In accordance with the *Tasmanian Constitution Act 1934*, the *Local Government Act 1993* (the Act) provides the basis for local government in Tasmania.

The Act establishes the 29 councils and the municipal areas they are responsible for; provides for the election of councillors and enables councils to undertake day-to-day activities, including providing local services and levying of rates.

The Act describes the functions of councils as:

- to provide for the health, safety and welfare of the community;
- to represent and promote the interests of the community;
- to provide for the peace, order and good government of the municipal area.

In addition, councils have a statutory role in administering a broad range of Commonwealth and State legislation, as well as their own by-laws.

Councils play a critical role in helping to build resilient communities, develop healthy environments, and promote local economies across our State.

Good governance is critical to local government's ability to perform its functions and effectively lead and provide services to Tasmanian communities.

HOW IS THE GOVERNANCE MODEL OF COUNCILS DESCRIBED?

Councils operate in accordance with the principles of corporate governance. A key feature of the corporate governance model in councils is the clarity of roles, particularly the distinctions between:

- the council operating collectively as a board, in conjunction with the role of the individual councillor as an elected representative of the people; and
- the council being responsible for setting the strategic direction and policies, as distinct from the role of the general manager in carrying out the council decisions and managing the operational arm of the council.

According to the Australian Institute of Company Directors, there are four roles for the board, or in the case of local government, the council:

- setting the strategic direction of the municipality and the council itself as an organisation;
- setting the policies for the council as an organisation, such as the maintenance of gardens and parks, waste collection, animal control and economic development;
- monitoring of the implementation of policies and operational management; and
- the recruitment, performance review, remuneration and succession planning of the general manager.

It is important for mayors and general managers to assist new councillors to understand the role of the council as a decision making body and, where necessary, to improve the skill base of councillors so good governance can be practiced.

WHAT ARE THE KEY CHARACTERISTICS OF GOOD GOVERNANCE IN LOCAL GOVERNMENT?

As described in the *Good Governance Guide for Local Government in Tasmania*¹, good governance has eight major characteristics. It is when the processes and culture of a council are:

- Accountable
- Transparent
- Law-abiding
- Responsive
- Equitable
- Participatory and inclusive
- Effective and efficient
- Consensus oriented

Councils demonstrate **accountability** when they report, explain and are answerable for the consequences of decisions they make on behalf of their communities.

Councils demonstrate **transparency** in revealing appropriate detail about the information, advice, consultation and legislative requirements they followed in making a decision. Making council plans, financial information and other relevant reports publicly available also demonstrates transparency.

A council is **law-abiding** when its decisions are consistent with relevant legislation or common law and within the powers of local government.

A **responsive** council always tries to represent and serve the needs of the entire community while balancing competing interests in a timely and appropriate manner.

¹ Local Government Division. (2016). *Good Governance Guide for Local Government in Tasmania*. Department of Premier and Cabinet (to be launched on 8 May 2016).

A council demonstrates it is **equitable, participatory and inclusive** if it ensures all interested groups and individuals, particularly the most vulnerable, have had an opportunity to participate in the decision-making process and are treated equally.

Councils demonstrate they are **effective and efficient** when their decisions and processes make the best use of people, time and money to achieve the best possible result for the community.

A **consensus oriented** council takes into account the different views and interests in a municipality to reach a majority position on what is in the best interests of the whole community.

Consensus means the reasons for decision are understood, even if it not agreed with.

HOW DO COUNCILLORS DEMONSTRATE GOOD GOVERNANCE?

Good governance in local government is reliant on the behaviour of elected members (councillors). Councillors who practice good governance:

- act with the highest ethical standards;
- understand their role and the role of others;
- foster trusting and respectful relationships;
- show a commitment to risk management;
- engage in effective strategic planning;
- follow a transparent and accountable decision making process;
- make good decisions that promote the interests of the community they serve;
- understand and abide by the law;
- commit to continuous improvement; and
- have good judgement.

WHY IS GOOD GOVERNANCE SO CRUCIAL?

It is important councillors understand and practice good governance because it supports them to make decisions and to act in the best interests of the community.

Good governance gives the community confidence in its council and improves the faith councillors have in their own council and its decision making processes.

Good governance enables councils to make good decisions in a timely manner and ultimately ensures councils effectively lead and provide services to their communities.

The people who lead and serve our community

The Local Government Act (the Act) provides for the election of mayors, deputy mayors and councillors (elected members) to lead our community, as well as the appointment of general managers to manage council operations that provide services to our community. The Act also sets out the functions and powers of those elected and appointed to these roles².

For the most part, the Act provides an effective framework to support elected members and general managers to effectively fulfil their role and meet the community's expectations. However, over time, common issues have impacted the ability of some people to carry out their functions, as well as negatively affecting council decision making and overall governance.

WHAT IS THE ROLE OF THE MAYOR?

The mayor's role is to:

- act as a leader of the community of the municipal area;
- act as chairperson of the council;
- act as the spokesperson of the council;
- liaise with the general manager on the activities of the council and the performance of its functions and exercise of its powers; and
- oversee the councillors in the performance of their functions and in the exercise of their powers.

The Act also requires the mayor to accurately represent the policies and decisions of the council in performing the functions of mayor.

WHAT COMMON ISSUES AFFECT THE ABILITY OF SOME MAYORS TO PERFORM THEIR ROLE?

As the leader of the council, the mayor plays an important role in building a united team. A council must function as a team in order to effectively govern. Where there is a breakdown in the team dynamic among elected members, there will be a loss of focus on acting in the interests of the community.

Mayors can find themselves in a difficult situation if they are elected with a strong platform but don't have the support of their fellow councillors to implement what is seen as a mandate. This can be a frustrating position for mayors as they try to perform the dual role of 'leader of the community' and 'chair of council'.

However, council decisions can only be agreed by the majority of councillors and the mayor is foremost responsible for leading the council and building a united team, not for implementing their own individual platform.

In 'acting as spokesperson of the council', mayors must fairly represent the views and decisions of a council, even if they do not agree with the view or decision. This can be challenging for mayors if their personal view conflicts with council's position, especially if they have made their personal view on a matter known at other times.

Mayors have the opportunity to express their views in the lead-up to a decision and during a debate. However, in the public arena the mayor should refrain from expressing a view that is contrary to the formal position of the council as this can lead to confusion and a community perception that the council is divided. The sense of a united team among the elected members can be compromised, potentially undermining the mayor's leadership.

² For more detail on the functions and powers of mayors, deputy mayors, councillors and general managers see [*The functions and powers of the people who lead and serve our community.*](#)

There may be a need to clarify what is meant by the requirement of mayors to 'liaise with the general manager on the activities of council'. A functional and effective working relationship between the mayor and general manager is essential if a council is to effectively serve its community. Where the expectations of the mayor and the general manager differ significantly there can be serious implications for good governance.

In addition, responsibility for the appointment and appraisal of the general manager's performance rests with the council as a whole. The Act does not specify how councils are to monitor the performance of the general manager, and there is some inconsistency in the approach across councils.

There is also inconsistency across councils regarding the extent to which mayors perform the role of 'overseeing councillors in the performance of their functions and exercise of their powers'. As the leader and chairperson, it is important mayors provide guidance to elected members to assist them in effectively fulfilling their roles and to help establish and maintain a united team.

There are no pre-requisites to stand as mayor and there are occasions where mayors are elected without any previous experience in chairing meetings, building teams and communicating effectively with elected members and staff. These are critical skills for a mayor and the best intentions can be undermined when a mayor does not possess or seek to develop these skills.

Whilst the mayor chairs meetings, they do not currently have a casting vote when decisions are tied. If votes on any motion before council are tied the motion is determined in the negative.

The ability of the mayor to have a 'casting vote' if voting is tied may enable more timely decision making and prevent deadlocks that are more likely because of the small number of decision makers in a council (compared to State Parliament). However, giving the mayor a second vote could be considered undemocratic and giving the mayor unequal influence over council decisions could cause divisions between councillors.

HOW ARE MAYORS ELECTED?

In Tasmania, mayors are popularly elected. A mayoral candidate is required to also be a councillor candidate (dual candidacy), but cannot stand for the position of deputy mayor.

Dual candidacy means unsuccessful mayoral candidates can still be elected as a councillor. This may cause tensions to arise if there are conflicts between the elected mayor and unsuccessful mayoral candidates.

However, if a person could be a candidate for only one position on the council, a serving councillor who makes an unsuccessful attempt to contest the mayoral position at a periodic election would be lost to local government entirely.

This could mean the loss of people who have valuable skills and experience and may be a strong disincentive for mayoral candidates.

WHAT HAPPENS ELSEWHERE?

New South Wales is proposing reforms to the role of mayor, suggesting mayors should have the responsibilities of a councillor along with 12 additional responsibilities, including to:

- promote civic awareness and, in conjunction with the general manager, ensure adequate opportunities and mechanisms for engagement between the council and the local community;
- represent the governing body on regional organisations and in inter-government forums at regional, state and federal levels;
- lead the councillors in the exercise of their responsibilities and in ensuring good governance; and
- advise, manage and provide strategic direction to the general manager in accordance with the council's strategic plans and policies.

New South Wales is also proposing provisions that would require new and returning mayors to participate in induction programs following elections and annual professional development programs. Mayors would be required to report on their participation in these programs in the annual report.

Victoria has recently made changes to its Local Government Act that require mayors to:

- provide guidance to councillors about what is expected of a councillor including obligations and responsibilities; and
- support good working relations between councillors.

Queensland mayors have the greatest number of specific responsibilities, some of which could be described as executive. For example, mayors in Queensland are required to lead, manage and provide strategic direction to the chief executive officer (equivalent to general manager) and conduct the annual performance appraisal. Mayors are also required to prepare the council budget for council approval and are a member of each standing committee of the council.

All other jurisdictions require mayors to carry out civic and ceremonial duties.

The mayor has a casting vote when decisions are tied in all jurisdictions except Tasmania. In South Australia, popularly elected mayors do not have a deliberative vote like other councillors, but they do have a casting vote when decisions are tied. Where the leader of the council is elected by the councillors as the 'chairperson' rather than popularly elected as the 'mayor', they do have a deliberative vote but do not have a casting vote when decisions are tied.

All jurisdictions except South Australia and Queensland allow candidates to nominate for both mayor and councillor positions (where mayoral positions are popularly elected).

WHAT ARE THE OPPORTUNITIES FOR CHANGE?

It is important the Act effectively supports mayors by clearly setting out how they are to lead both their council and community.

Options for reform include:

- Defining the leadership role of the mayor more specifically, including the following functions:
 - promote good governance by building a united and strategic approach from elected members;
 - chair councillors robust decision making processes, respecting the council's decisions, and representing the council's decisions to the community;
 - be members of each standing committee of their council;
 - represent the governing body on regional organisations and in inter-government forums at regional, state and federal levels;
 - carry out the civic and ceremonial functions of the mayoral office; and
 - lead the performance appraisal of the general manager.
- Specifying the type of interactions that must occur in the mayor liaising with the general manager, for example including:
 - in representing the council, advise, manage and provide strategic direction to the general manager in accordance with the council's strategic plans and policies; and
 - work in conjunction with the general manager to ensure adequate opportunities and mechanisms for engagement between the council and the local community.
- Building leadership capacity by requiring new and returning mayors to:
 - participate in induction programs following elections;
 - develop professional development plans on an annual basis;
 - participate in leadership and professional development courses; and
 - report on their participation in induction and professional development in the annual report.
- Giving mayors a casting vote when decisions are tied, instead of the decision being automatically determined in the negative.
- Removing the dual candidacy provisions so a person cannot stand for both a mayor and councillor position.

WHAT DO YOU THINK?

Q1 What should the leadership role of the mayor include?

Q2 What should the requirement for the mayor to liaise with the general manager include?

Q3 Should mayors be required to undertake induction and training, particularly in the development of leadership skills?

Q4 Should mayors be given a casting vote when decisions are tied, so that tied decisions are not automatically determined in the negative?

Q5 Should the provisions requiring a person to be both a mayor and councillor candidate remain?

WHAT IS THE ROLE OF THE DEPUTY MAYOR?

The deputy mayor's role is to act in the position of mayor and exercise the powers and perform the functions of mayor if:

- the mayor is absent; and
- the mayor or the council, by notice in writing, appoints the deputy mayor to act in the position.

The Act also requires that the deputy mayor represents accurately the policies and decisions of the council in performing the functions of deputy mayor.

HOW ARE DEPUTY MAYORS ELECTED?

Like mayors, deputy mayors are popularly elected and a deputy mayoral candidate is required to also be a councillor candidate, but cannot also stand for the position of mayor.

Prior to 2000, deputy mayors were appointed by the council rather than popularly elected. A Local Government Board review into the method of election of mayor and deputy mayor resulted in changes to the Act introducing direct election for the mayor and deputy mayor.

The primary reason for the change was to maintain consistency between mayoral and deputy mayoral positions and across municipalities. At the time, some municipal areas had direct election of mayors and deputy mayors whereas others had both leadership positions elected around the table.

WHAT HAPPENS ELSEWHERE?

In Victoria, there is no provision for the position of deputy mayor. However, a number of councils elect a councillor (around the table) to fulfil the role, as councils are required to appoint an acting mayor when a mayor is not able to carry out his/her functions.

In New South Wales and South Australia, a deputy mayor may be elected around the table for the mayoral term or shorter. Alternatively, an acting mayor can be elected on an as-needs basis.

WHAT ARE THE OPPORTUNITIES FOR CHANGE?

There have been questions about whether the role of deputy mayor is required and, if it is required, how it should be elected.

Options for reform include:

- Removing the provision for a deputy mayor.
- Deputy mayors being elected by the council (around the table) rather than by popular election.

WHAT DO YOU THINK?

Q6 What should the role of deputy mayor include?

Q7 Should deputy mayors be appointed by the council rather than popularly elected?